

Troubled Waters. Cod War, Fishing Disputes, and Britain's Fight for the Freedom of the High Seas, 1948-1964

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***Troubled Waters. Cod War,
Fishing Disputes, and Britain's
Fight for the Freedom of the
High Seas, 1948-1964***

*A thesis submitted in partial fulfilment of the requirements for the degree
of Doctor of Philosophy of the University of London*

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Abstract

The thesis describes Britain's disputes over fishery limits and territorial waters, 1948-64. Norway, Iceland, the Soviet Union and Denmark (on behalf of Greenland and the Faroe Islands) extended national jurisdiction on the oceans. Britain protested against every move, even despatching the Royal Navy to the disputed waters off Iceland, the main antagonist. Yet, on every occasion Britain had to admit defeat. In analytical terms, the thesis is partly a case study on foreign policy decision-making, the nature of power in international relations, and the relative decline of Britain after the Second World War. It also sets the quarrels over territorial waters in the context of the Cold War.

The central conclusion is that Britain was too slow to recognise changes in the composition of power in international relations after the Second World War. British policy-makers overestimated their capability to enforce on other states their interpretation of the law of the sea. Their miscalculations were influenced by five considerations: power (the existence of stronger naval forces than the Nordic opponents), pressure (from the British trawling industry), precedence (the danger that retreat in one place would weaken the British stand elsewhere), principle (adherence to international law as it had been developing when Britain was a stronger power), and prestige (the belief that Britain was still strong enough to have her way on the high seas). Furthermore, departmental differences in Whitehall often slowed down the process of decision-making and ensured that the views of those officials who best realised the actual extent of British capabilities did not prevail. And finally, the frustrating obstinacy of a newly independent nation like Iceland contributed to the conflicts.

The thesis is based on primary sources from public and private archives in Britain, Iceland, Canada, Belgium, Denmark, Germany, Norway, the United States and Russia. Numerous interviews were also conducted.

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Preface

I began work on this thesis in the autumn of 1998 and there are a number of individuals and institutions which I must thank for their assistance. Thór Whitehead at the University of Iceland supported my application for doctoral study in Britain and has always been a great mentor, in the truest sense of that word. I am indebted to the British Council for the Chevening Scholarship which enabled me to begin my postgraduate studies at St Antony's College in Oxford. Anne Deighton was my supervisor and I sincerely thank her for her support and friendship, during and after my year in Oxford.

In early 1999, the refusal of Oxford University to take the formal step of forwarding my application for an Overseas Research Studentship (ORS) looked set to end this study rather abruptly. However, it proved to be a blessing in disguise. Queen Mary and Westfield College (as Queen Mary was then called) offered a full, three-year scholarship which, incidentally, was then replaced in part by the ORS. I will always be grateful for this show of faith by the college. James Ellison became my supervisor and deserves deep thanks for his constant encouragement, excellent guidance and goodwill. At Queen Mary, I must also thank Peter Hennessy for his interest in the work and indeed all the other staff at the history department. I should also thank my fellow students, both at Queen Mary and St Antony's, for tolerating the fishy jokes all this time. The same goes for my Icelandic friends.

In Iceland, I thank the staff at the National Archives and the Archives of the Central Bank of Iceland, and all those who gave access to documents in their custody. I am also grateful to Gudmundur Kjærnested, Már Elísson and Gunnar G. Schram, three former 'cod warriors' who have been of great help throughout my studies. Furthermore, I am grateful to Jónas Knútsson for translating a Latin quote and to Gudmundur Jónsson and Jón Th. Thór, two Icelandic historians who read the thesis in its final stages and made valuable comments. I also thank Jón for introducing me to NAFHA, the North Atlantic Fishing History Association, and providing me with an opportunity to present papers at its conferences.

Many thanks are due to all those who offered funding and assistance in connection with my research journeys. The Norwegian Institute for Defence Studies gave a grant for research in Oslo. I am indebted to Rolf Tamnes, its director, to Halvor Egge at the Parliamentary Archives, and to Inga Badi-Massoud at the Foreign Ministry Archives for overseeing the declassification of files for me. The Central Research Fund of the University of London and the Letterstedtska Föreningen provided funding for

research in Copenhagen. At the Danish National Archives, Marianne Elisabeth Reimer handled my declassification requests. I thank her and all the other staff at the archives. I am also grateful to my good friend Rasmus Mariager, a fellow PhD student of history, and his partner, Bina Byron, who provided me with a place to stay in Copenhagen.

The Central Research Fund financed one research visit to the United States. My appreciation goes to Icelandic Ambassador Jón Baldvin Hannibalsson and Bryndís Schram who allowed me to stay at their residence in Washington, DC, when I was working in the US National Archives. Their hospitality was great—after all, how many research students have enjoyed the luxury of being chauffeur-driven to the archives? I was also able to present a paper on my research at the US Naval War College in Newport, Rhode Island. For this privilege, I am much indebted to John Hattendorf. Furthermore, my gratitude goes to Barbara Constable and other staff at the Dwight D. Eisenhower Library in Abilene, Kansas. During a second visit to the United States in the summer of 2003, in connection with prospective research on the ‘cod wars’ of the 1970s, I managed to find valuable material for the thesis at the Naval Historical Center in Washington, DC. Mike Walker was extremely helpful there. Luckily, the accommodation was again at the Ambassador’s residence and Ambassador Helgi Ágústsson and Heba Jónasdóttir were extremely hospitable. I also visited the Division of Rare and Manuscript Collections at Cornell University Library where Patrick J. Stevens was of great help.

In Canada, Marcel Barriault located the relevant sources at the National Archives and handled my declassification requests. Hugh and Allison Reid were wonderful hosts. A two-month stipend from DAAD, the German Academic Exchange Service, allowed me to work on the thesis at the German Maritime Museum in Bremerhaven and conduct extensive research at the Federal Foreign Office Archives in Berlin and the Federal Archives in Koblenz. Ingo Heidbrink was not only my supervisor and host in Bremerhaven but has been a good friend since we met at a NAFHA conference in Qaqartoq in Greenland. I must also thank the staff in Berlin and Koblenz for their expert assistance, especially Knud Piening at the Foreign Office Archives. As for the NATO archives in Brussels, I am grateful to Vala Gardarsdóttir and Audun Helgason who allowed me to stay at their house. As for the sources from Moscow, I thank N.P. Mozzhukhina, Head of the Foreign Policy Archive of the Russian Federation, for locating and declassifying the pertinent sources. My deep appreciation goes to Rósa Magnúsdóttir, a fellow PhD student who took valuable time from her own research in Moscow and photocopied the documents for me.

In Britain, the Public Record Office was at times a second home from home and I thank all the staff there, in particular Howard Davies for assistance with declassified documents. In that regard, I am also indebted to Martin Longden and Penny Prior at the Foreign and Commonwealth Office, and Tessa Stirling at the Cabinet Office. Furthermore, my thanks go to archivists at the various other archives which I used, as well as to those trustees who gave me permission to use documents in their care. Coldwater Seafood Ltd. provided a grant for a visit to Humberside, for which I am very grateful. I also thank the retired trawlermen there who shared their ‘cod war’ recollections with me, in particular George ‘Cockle’ Mussell in Cleethorpes. The same goes for David ‘Curly’ Robinson in Fleetwood, a former trawlerman and yet another friend gained through the research. Peter Pooley, formerly at the Ministry of Agriculture, Fisheries and Food, Capt. Peter Hore and Andy Newton, two members of the Royal Navy who saw ‘action’ off Iceland in the 1970s, have also been helpful and kind. For offering a venue for the presentation of papers on the research, I am grateful to the organisers of the 8th New Researchers in Maritime History Conference at the University of Greenwich, and the 70th Anglo-American Conference of Historians at the Institute of Historical Research. I owe a debt of gratitude to many others and apologise for not naming them all here. In particular, I ought to have mentioned all those who were willing to share their ‘cod war’ recollections with me, either through interviews or correspondence. I only wish that I could have made even more use of that material in the thesis.

My deepest appreciation goes to my family. My mother, Margrét Thorlacius, and brothers, Jóhannes and Patrekur, have always been most supportive. My interest in history I owe to my late father, Jóhannes Sæmundsson. My daughter Rut has always been a source of joy and inspiration, if only by asking maddeningly simple questions like why people couldn’t just share the fish, or how someone can spend so many years writing one essay. Finally, it has been said that the postgraduate student in Britain is often ‘a lonely, forlorn soul, uncertain of what he is doing or whom he is trying to please’.¹ Eliza rescued me from that fate, at least the part on the forlorn loneliness. Thanks to her, it has been *fun*.

Gardabæ, Iceland, July 25, 2003

Guðni Thorlacius Jóhannesson

¹ David Lodge, *Changing Places. A Tale of Two Campuses* (Harmondsworth: Penguin, 1978), 16.

Note on spelling

In line with general practice, the Icelandic *þ* is replaced by ‘th’ in the text, and the Icelandic/Faroese *ð* with ‘d’. Icelandic/Faroese accentuation is kept, for instance *á* and *ó*. The Danish/Faroese *ø* is also used, as well as the Nordic *æ*.

In direct quotations, the spelling of Nordic names has been standardised and the local spelling always used (Olafur always Ólafur, for instance). Place names are put in the local language where they are identical or nearly identical to the English (Reykjavík and Tórshavn and not Reykjavik or Thorshavn) but when the difference is greater, the English version is used (i.e. Copenhagen but not København). The use of upper and lower case has also been standardised (e.g. government always in lower case).

Abbreviations

ADM	Admiralty, London
<i>AJIL</i>	<i>American Journal of International Law</i>
ALTH	Skjalasafn Althingis. Parliamentary Archives, Reykjavík
AVPRF	Arkhiv vneshnei politiki Rossiskoi Federatsii. Foreign Policy Archive of the Russian Federation, Moscow
BA-BML	Bundesarchiv. Bundesministerium für Ernährung, Landwirtschaft und Forsten. Archive of Ministry of Food, Agriculture and Forestry. German Federal Archives, Koblenz
BBC	BBC Written Archives Centre, Reading
BEA	Bank of England Archives, London
BDOHP	British Diplomatic Oral History Programme, Churchill College, Cambridge
BOD	Department of Special Collections and Western Manuscripts, Bodleian Library, University of Oxford
BT	Board of Trade, London
BTF	British Trawler Federation
CC	Churchill College, Cambridge
CIA	Central Intelligence Agency, United States
Cmd/Cmnd	Command Paper
COS	Chiefs of Staff, Britain
CUL	Division of Rare and Manuscript Collections, Cornell University Library, Ithaca, New York

CWIHP	Cold War International History Project, Woodrow Wilson Center for Scholars, Washington, DC
DDE	Dwight D. Eisenhower Library, Abilene, Kansas
EEC	European Economic Community
EFTA	European Free Trade Association
FCO	Foreign and Commonwealth Office, London
FO	Foreign Office, London
<i>FRUS</i>	<i>Foreign Relations of the United States</i>
GILC	Papers of Sir Andrew Gilchrist, Churchill College, Cambridge
GÍG	Papers of Gudmundur Í. Gudmundsson, Reykjavík
GFVOA	Grimsby Fishing Vessel Owners' Association
GSFVEFU	Grimsby Steam Fishing Vessels Engineers' and Firemen's Union
HFVOA	Hull Fishing Vessel Owners' Association
HMSO	Her/His Majesty's Stationery Office
IBRD	International Bank for Reconstruction and Development
ILC	United Nations International Law Commission
IMF	International Monetary Fund
JFDOHP	John Foster Dulles Oral History Project, Princeton University Library, Princeton, New Jersey
JIC	Joint Intelligence Committee, Britain
JPS	Joint Planning Staff, Britain
KCLMA	Liddell Hart Centre for Military Archives, King's College, University of London
MAF/MAFF	Ministry of Agriculture and Fisheries (and Food, from October 1954), London
MFP	Ministry of Fuel and Power, London
MRC	Modern Records Centre, University of Warwick
NAC	North Atlantic Council
NA-CAN	National Archives of Canada, Ottawa
NARA	National Archives and Records Administration, College Park, Maryland
NATO	North Atlantic Treaty Organisation
OCB	Operations Coordinating Board, United States
OSANSA	Office of the Special Assistant for National Security Affairs, United States

NJIC	National Joint Industrial Council
PAAA	Politisches Archiv des Auswärtiges Amts. Federal Foreign Office Archives, Berlin
PRO	Public Record Office, London
RA-DEN	Rigsarkivet. National Archives, Copenhagen
RA-NOR	Riksarkivet. National Archives, Oslo
SA	Parliamentary Archives, Oslo
SOFP	Senior Officer Fishery Protection
SSÍ-DÓ	Skjalasafn Sedlabanka Íslands. Central Bank of Iceland Archives. Private papers of Davíð Ólafsson
SSÍ-IBRD	Skjalasafn Sedlabanka Íslands. Central Bank of Iceland Archives. Documents from the archives of the International Bank for Reconstruction and Development
SSÍ-IMF	Skjalasafn Sedlabanka Íslands. Central Bank of Iceland Archives. Documents from the archives of the International Monetary Fund
T	Treasury, London
Thí	Thjóðskjalasafn Íslands. National Archives of Iceland, Reykjavík
Thí-FRN	Thjóðskjalasafn Íslands. Skjalasafn forsætisráðuneytis. Prime Minister's Office Papers, National Archives of Iceland, Reykjavík
Thí-LON	Thjóðskjalasafn Íslands. Skjalasafn sendiráðsins í London. Archives of the Legation and Embassy of Iceland in London, National Archives of Iceland, Reykjavík
Thí-SÖ	Thjóðskjalasafn Íslands. Sögusafn utanríkisráðuneytis. Foreign Ministry Historical Collection, National Archives of Iceland, Reykjavík
Thí-URN	Thjóðskjalasafn Íslands. Skjalasafn utanríkisráðuneytis. Foreign Ministry Archive, National Archives of Iceland, Reykjavík
Thí-WASH	Thjóðskjalasafn Íslands. Skjalasafn sendiráðsins í Washington. Archives of the Legation and Embassy of Iceland in Washington, National Archives of Iceland, Reykjavík
UD	Utenriksdepartementet, Ministry of Foreign Affairs, Oslo
UUKK	Extended foreign affairs and constitutional parliamentary committee, Oslo

Maps and Illustrations

- Figure I 13 Britain's distant and middle water trawling grounds in the North Atlantic. Papers of Carl Ross, North East Lincolnshire Archives, Grimsby: 'Ross Group', leaflet, probably from 1964.
- Figure II 15 The three-mile limit of territorial waters around Iceland, measured from the low-water mark. Jón Th. Thór, *Landhelgi Íslands 1901-1952* (Reykjavík: Sagnfræðistofnun Háskóla Íslands, 1991), 11
- Figure III 32 Territorial waters off North Norway. Jan P. Jansen and Per Chr. Blichfeldt, *Havets voktere. Historien om Kystvakten* (Oslo: Schibsted, 1998), 67
- Figure IV 72 The baseline-measured four-mile fishing limit around Iceland. Thór, *Landhelgi Íslands*, 80
- Figure V 76 'Key stages in sequential decision making'. Robert S. Billings and Charles F. Hermann, 'Problem Identification in Sequential Policy Decision Making: The Re-representation of Problems', in Donald A. Sylvan and James F. Voss (eds), *Problem Representation in Foreign Policy Decision Making* (Cambridge: Cambridge University Press, 1998), 57
- Figure VI 83 'Grimbarians on guard for vessels from Iceland'. *Spegillinn*, Vol. 27, No. 2, 1952, 1
- Figure VII 94 'Moscow woos Icelanders'. *Yorkshire Post*, 23.7.1954
- Figure VIII 102 Faroese fishing limits, 1955. Foreign Ministry Files at the National Archives, Copenhagen: 55.DAN.31/IV, memorandum, 26.5.1955
- Figure IX 107 Fishing rights in the Barents Sea in 1956. *Daily Telegraph*, 26.5.1956
- Figure X 149 'Are the Americans biting Iceland in the back at the fatal moment?' *Spegillinn*, Vol. 33, No. 5, 1958, 107
- Figure XI 165 Royal Navy vessels vs. the Icelandic coast guard fleet. Gunnar M. Magnúss, *Landhelgisbókin* (Reykjavík: Setberg, 1959), 157
- Figure XII 170 The 12-mile limit around Iceland and the three 'havens' in September 1958. *Times*, 3.9.1958
- Figure XIII 171 Sailors from HMS *Eastbourne* board the trawler *Northern Foam*. *Times*, 3.9.1958
- Figure XIV 176 HMS *Eastbourne*, Icelandic coast guard vessel *María Júlía* and the trawler *Stella Canopus*. Prime Minister's Office Papers, National

Archives, Reykjavík: 1989-B/555-1/L-1. Press cutting from the first days of September 1958

Figure XV 234 The Icelandic 12-mile limit from 1958, with the three new baselines in 1961 drawn by hand. Papers of Gudmundur Í. Gudmundsson, file II

Introduction

Parameters and Purposes

This thesis is about Britain's disputes over fishery limits and territorial waters in the North Atlantic and the Barents Sea from 1948 to 1964. Britain lost all the conflicts, for behind them lay deep miscalculations, most fatefully on the 'national interest' and power in international relations during the Cold War. As one of the diplomats involved later asserted, the British side was just 'bloody stupid'.¹ But the opponents' intransigence did not help either and the Icelanders, the main antagonists, were deemed to be a 'notoriously inflexible people [who] take an almost masochistic pleasure in the role of David against Goliath'.² A struggle of the stubborn was almost inevitable.

The British trawlermen determine the geographical boundaries of the research, sailing as they did to the rich fishing banks off North Norway, the Kola-peninsula, the Faroe Islands and around Iceland, the centre of gravity in the thesis.³ As for the time frame, 1948 is a logical starting point. The Norwegians then began to arrest British trawlers on the 'high seas' and the Icelandic authorities took the first step on their long journey to the promised land of wider fishing limits. Most of the subsequent action took place between 1952 and 1960 but the story concludes in 1964 when Britain herself followed the course which she had so strenuously opposed just a few years before.

The research has two aims. First, it is an empirical effort. A story will be told which has not been described in detail before.⁴ And it is an important tale. In late 1952, Foreign Secretary Anthony Eden could not but lament, for instance, that the dispute

¹ Sir Andrew Gilchrist, Britain's Ambassador to Iceland in 1956-59. *Morgunbladid*, 12.11.1978.

² Public Record Office, London [henceforward PRO]: FO371/111535/NL1351/165, Ward minute, 10.11.1954.

³ Apart from the Faroese waters, which were called 'middle water', all the fishing grounds were 'distant water'.

⁴ No archive-based research of these conflicts *in toto* exists. For surveys of the Icelandic aspect, see Jón Th. Thór, *British Trawlers and Iceland 1919-1976* (Esbjerg: Fiskeri- og Søfartsmuseet, 1995), Andrew Gilchrist, *Cod Wars and How to Lose Them* (Edinburgh: Q Press, 1978), and Hannes Jónsson, *Friends in Conflict. The Anglo-Icelandic Cod Wars and the Law of the Sea* (London: Hurst, 1982). For an overview of the Anglo-Norwegian conflicts, see Carl A. Fleischer, *Fiskerigrensene, folkeretten og den økonomiske sone* (Oslo: Universitetsforlaget, 1977), and Brit Fløistad, 'Hovedlinjene i utformingen av norsk sjøgrensepolitikk etter 1945', (BA thesis, University of Oslo, 1982). For the Dano-Faroese aspect, see Erlendur Patursson, *Fiskivinna og Fiskivinnumál 1940-1970 I* (Tórshavn: Føroya Fiskimannafelag, 1979). For a brief summary of the Soviet aspect, see William E. Butler, *The Soviet Union and the Law of the Sea* (Baltimore: Johns Hopkins Press, 1973). For British distant-water trawling, see Robb Robinson, *Trawling. The Rise and Fall of the British Trawl Fishery* (Exeter: University of Exeter Press, 1996).

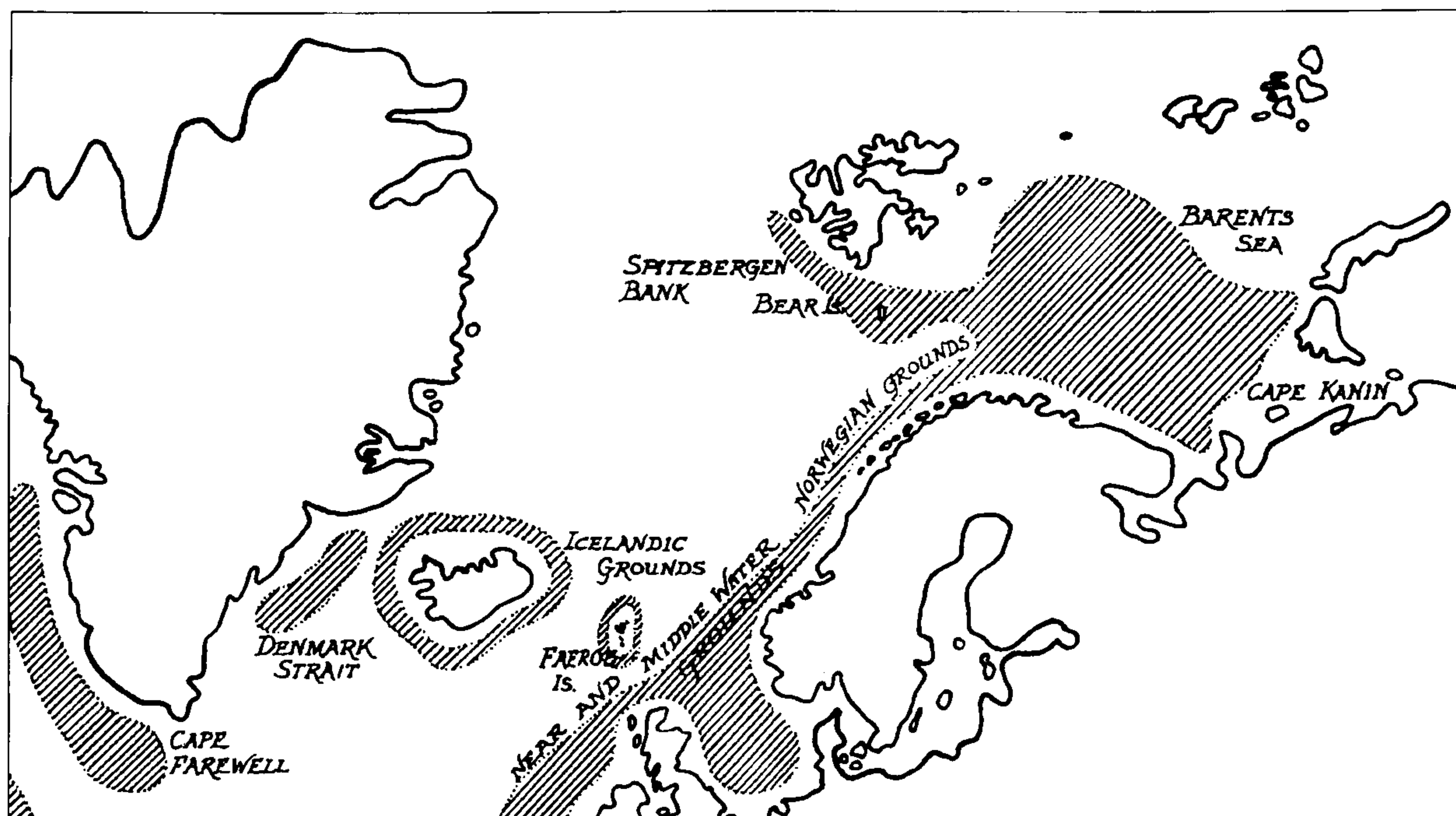


Figure 1. Britain's distant and middle water trawling grounds in the North Atlantic.

with the Icelanders was 'one of the most complicated international tangles which it has ever been my, not privilege, but misfortune, to have to deal with'.⁵ Furthermore, the conflicts in question fit well with the greater theme of Britain's international position and the 'loss of Empire'. They involve, in a sense, the 'loss of the seas', a subject which has received surprisingly little attention.⁶ Britain was a great maritime power. In little over a decade after 1948, however, she suffered almost continuous defeats in disputes about fishing limits and territorial waters, an avowed vital interest. This happened not only against a mighty opponent like the Soviet Union but also when Britain faced far weaker states like Norway or Iceland—and as incredible as it might have sounded only a few years before, the Faroe Islands, a microscopic colony of a few souls with almost no visible powers of persuasion.

The second aim of the thesis is analytical. Various generalisations and theories will be used to understand 'what the events mean'.⁷ Thus, the thesis is partly a case

⁵ *Hansard*, Vol. 509, cols. 4-5, oral answers, 8.12.1952. The ongoing disputes with Iceland received more attention in Britain than relations with other Nordic states. Juhana Aunesluoma, 'Britain, Sweden and the Cold War, 1945-54', (DPhil thesis, University of Oxford, 1998), 15-16. And in 1958, the most eventful year in the period under examination, the Cabinet discussed fishing limits and/or the law of the sea in 21 of 88 meetings. See PRO: CAB128/32.

⁶ For a recent critique on this lack of attention, see Ralph Harrington, '"The Mighty Hood": Navy, Empire, War at Sea and the British National Imagination', *Journal of Contemporary History*, Vol. 38, No. 2, 2003, 171-173.

⁷ Martin Hollis and Steve Smith, *Explaining and Understanding International Relations* (Oxford: Clarendon Press, 1990), 1. Also Thomas W. Smith, *History and International Relations* (London: Routledge, 1999), 179-190. Caroline Kennedy-Pipe, 'International History and International Relations theory: a dialogue beyond the Cold War', *International Affairs*, Vol. 76, No. 4, 2000, 741-754. Rolf Tamnes, 'Forskningen om den kalde krigen – status og fremtid', *Historisk Tidsskrift* (Norway), Vol. 72, No. 4, 1993, 502-503. Ngaire Woods, 'The Uses of Theory in the Study of International Relations', in Ngaire Woods (ed.), *Explaining International Relations Since 1945* (Oxford: Oxford University Press,

study, involving broader issues and concepts that have been closely examined and are continually debated. The two most prominent themes are foreign policy decision-making and the nature of power in international relations, but light will also be shed on issues like the development of the law of the sea, Anglo-American relations and the decline of British influence in the twentieth century.

Historical Background

The disputes under discussion can be traced to the end of the nineteenth century when British steam trawlers began fishing in waters around Iceland and the Faroe Islands, and slightly later off North Norway and the Kola-peninsula in Russia. The local fishermen, still using small boats with line and nets, strongly resented the competition for when the trawl was drawn along the seabed, other gear could be wrecked and the grounds depleted.⁸ The trawlermen refuted all accusations of overfishing, however, and a number of British fishing ports flourished, most notably Grimsby and Hull, but also Fleetwood and Aberdeen.⁹

Economic interests clashed in the North Atlantic and friction was bound to emerge. Moreover, the conflicts involved the law of the sea, an ancient and fluctuating concept.¹⁰ By the seventeenth century, two conflicting theories on maritime sovereignty had evolved: *Mare Clausum*, whereby states could claim for themselves sections of the oceans, and *Mare Liberum*, the freedom of the high seas. A seafaring state like England obviously favoured the latter doctrine which gradually took hold. Simultaneously, the notion of territorial waters emerged, a belt of sea closest to shore which belonged to the coastal state. In the nineteenth century, Britain argued that the width of this area should be three nautical miles and in 1882, all states but one lying on the North Sea accepted that principle in those waters.¹¹ Only the Kingdom of Sweden and Norway continued to

1996), 1, 11. Joseph S. Nye, Jr., *Understanding International Conflicts. An Introduction to Theory and History* (New York: HarperCollins, 1993), xiii-xiv, 5-8.

⁸ For the origins of British trawling off Iceland, see Jón Th. Thór, 'The Beginnings of British-Steam Trawling in Icelandic Waters', *Mariner's Mirror*, Vol. 74, No. 3, 1988, 267-272. For Norway, see Jan L. Backer, 'Trålersaken', in Kåre Fasting (ed.), *Lofotfisket. Smådrift eller storbruk i nye former* (Trondheim: F. Bruns bokhandels forlag, 1946), 171-198. For the Faroe Islands, see Henry Montagu Villiers, 'Konsul í Føroyum', unpublished memoirs, translated to the Faroese and edited by Hans Jacob Debes. In possession of Jón Th. Thór, Reykjavík. Also 'The Cod War of 1893-1899'

<http://grimsbywebfind.com/sites/Fishing/cod_war_of_1893.htm>, accessed 15.3.2002.

⁹ Robinson, *Trawling*, 97-114.

¹⁰ A good overview is Sayre Swarztrauber, *The Three-Mile Limit of Territorial Seas* (Annapolis, Maryland: US Naval Institute, 1972). For a summary, see R.R. Churchill and A.V. Lowe, *The Law of the Sea* (Manchester: Manchester University Press, 2nd ed., 1988), 59-68.

¹¹ One nautical mile is 1852 metres. In legal terms, the term territorial sea is favoured instead of territorial waters but the main players in this thesis usually used the latter term. Hence, it will also be utilised here.

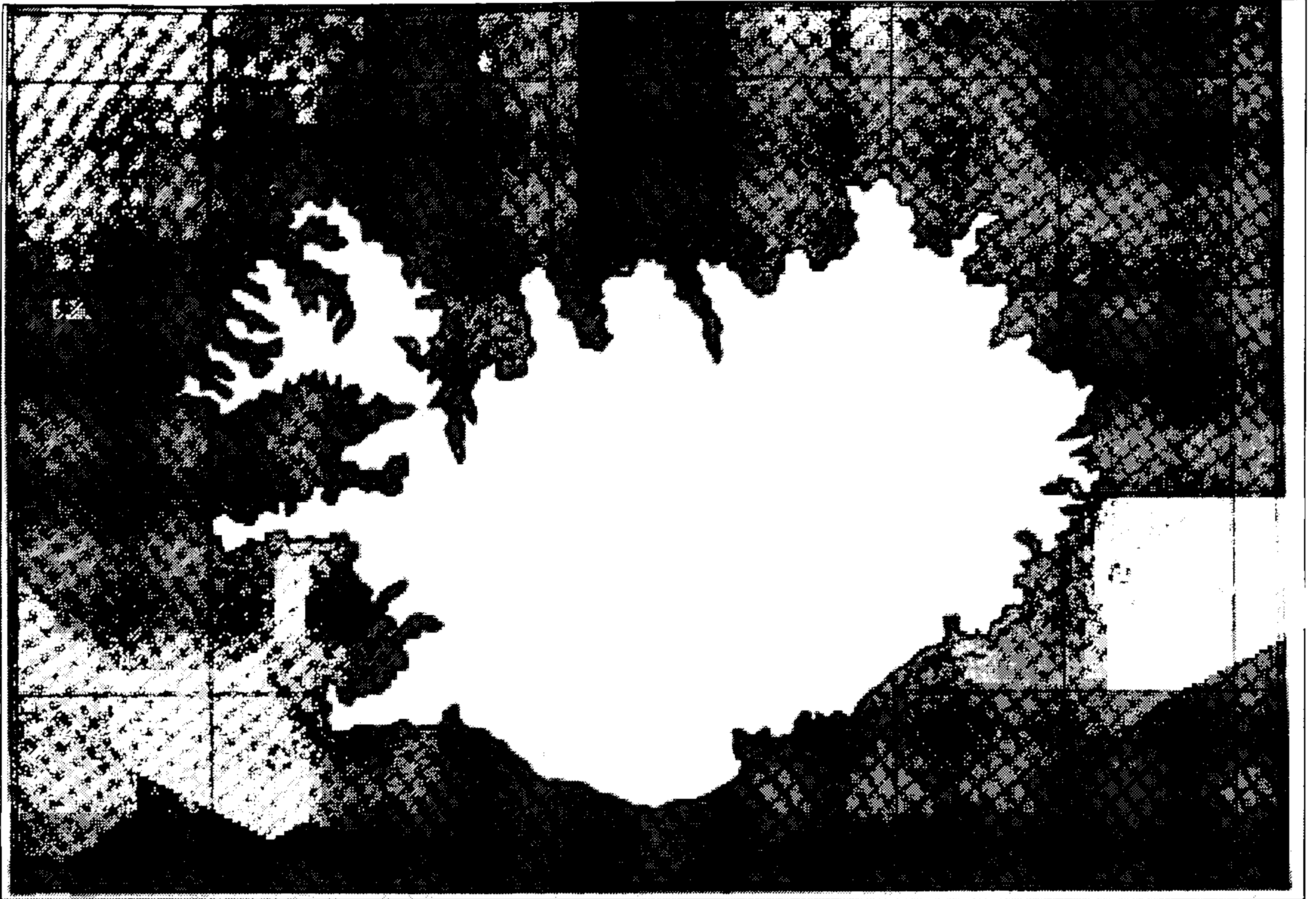


Figure II. The three-mile limit of territorial waters around Iceland from 1901, measured from the low-water mark.

maintain the historic Scandinavian claim to four miles.¹² In 1901, the principle of narrow national jurisdiction was further fortified when Britain and Denmark signed a treaty on the three-mile rule around the Danish dependencies of Iceland and the Faroe Islands.¹³ In London, this limit had become a vital national interest, ‘a principle on which we might be prepared to go to war with the strongest power in the world’, as Foreign Secretary Sir Edward Grey said in 1911.¹⁴ In the early 1920s, Danish inquiries about the possible extension of Icelandic and Faroese territorial waters were turned down,¹⁵ and Bolshevik intentions to maintain a 12-mile limit in the Barents Sea which Tsarist Russia had declared before the war suffered similar fate. In 1930, Britain and the Soviet Union signed a treaty on fishing up to three miles in wide areas off the Kola-peninsula, although they did not formally accept their respective views on territorial waters.¹⁶

The application of the three-mile limit was never widespread enough, still, to become an undisputed rule of law. Britain had her way *de facto* with Moscow, yet the Barents Sea agreement was an uneasy compromise. The Icelanders and the Faroe

¹² Jónsson, *Friends*, 34-35.

¹³ Thór, *British Trawlers*, 45-50.

¹⁴ PRO: MAF41/674, Grey to Findlay, 26.6.1911.

¹⁵ Pétur J. Thorsteinsson, *Utanríkistjónusta Íslands og utanríkismál I* (Reykjavík: Hid íslenska bókmenntafélag, 1992), 114-115.

¹⁶ Butler, *Soviet Union*, 90-95.

Islanders came to resent the Anglo-Danish treaty of 1901, as they realised that the three-mile limit was neither wide enough nor sufficiently guarded to protect the fishing grounds.¹⁷ And while the Norwegians (who gained independence from Sweden in 1905) did not enforce assiduously the four-mile limit, they never renounced their legal claim to it.¹⁸ Britain and Norway reached a temporary *modus vivendi* but when an international conference to codify the law of the sea was convened at The Hague in 1930, it became fully clear that an agreement on the width of territorial waters was impossible. Norway, Sweden, Finland and Iceland advocated the 'Scandinavian' four-mile limit and many Mediterranean and South-American states either suggested six miles of territorial waters or three miles with another three for fishing regulation and other limited rights for the coastal state.¹⁹ Then, in 1935, the Norwegians issued a new Royal Decree on the four-mile limit, a move which Britain protested so strongly that they backed down, while reserving their legal rights. A compromise limit, the 'Red Line', came into being but the matter was unresolved in 1939.²⁰

The law of the sea was thus ambiguous at the end of the Second World War when, in the words of British experts, American action caused 'enormous damage' to the principle of the freedom of the high seas.²¹ With the Truman Declarations of 1945, the United States, spurred on by strategic and economic considerations, claimed jurisdiction over all resources on its continental shelf which in some areas stretched hundreds of miles from shore. The right to regulate fisheries was also reserved. Despite American assertions about the continued validity of the three-mile limit in all other respects, some states in the Western Hemisphere were quick to interpret the Declarations as they pleased, declaring territorial waters or exclusive fishery jurisdiction of up to 200 miles.²²

Such, in short, was the situation of the law of the sea in 1948 and four underlying themes emerge from this survey. First, it is clear that no undisputed rule existed on the width of territorial waters. Second, the law of the sea had been in

¹⁷ Jónsson, *Friends*, 37-38, 50-51.

¹⁸ For the Anglo-Norwegian conflict over territorial waters in the first half of the twentieth century, see Fløistad, 'Hovedlinjene', 42-53. Also Olav Riste, *Norway's Foreign Relations—A History* (Oslo: Universitetsforlaget, 2001), 124-126.

¹⁹ Swarztrauber, *Three-Mile Limit*, 32-40.

²⁰ PRO: MAF41/694, Dobson minute, 23.2.1939. Jan P. Jansen and Per Chr. Blichfeldt, *Havets voktere. Historien om Kystvakten* (Oslo: Schibsted, 1998), 65.

²¹ PRO: FO371/105740/GW1/82, Fitzmaurice minute, 14.8.1953. Also National Archives and Records Administration, College Park, Maryland [henceforward NARA]: RG59/811.0145/6-1845, Wright to Dooman, 18.6.1945.

²² Swarztrauber, *Three-Mile Limit*, 155-169. Also Charles Selak, Jr., 'Recent Developments in High Seas Fisheries Jurisdiction under the Presidential Proclamation of 1945', *American Journal of International Law* [henceforward *AJIL*], Vol. 44, No. 4, 1950, 670-681.

constant flux and would continue to develop. Third, Britain viewed the three-mile limit of territorial waters as a vital ‘national interest’, a term which will be discussed below. Fourth, the law of the sea had only been changed and enforced through power and pressure. ‘It was primarily the *might* of the British Navy’, as one observer argued, ‘... that made British views on the law of the sea *right*’.²³

The Maritime Disputes and Power in International Relations

The historical background highlights that this research is a fine case study of *power*. Fundamentally, power is ability—or as Thucydides pointed out in his classic statement in the history of the Peloponnesian War: ‘The strong do what they have the power to do and the weak accept what they have to accept’.²⁴ In the academic terminology of international relations studies, this wisdom is often rephrased by calling power, to take a typical example, ‘the factors that enable one actor to manipulate another actor’s behaviour against its preferences’.²⁵ It follows that power is always relative and intricate but the core issues to consider are still simple: what makes one state strong and another weak, how do or should states attain their ends, and what are or should those ends be?

Traditionally, two main rival schools of thought in the discipline of international relations have attempted to answer such questions; *realism* on the one hand and *idealism* on the other.²⁶ Both are relevant for the study of the maritime conflicts in the North Atlantic,²⁷ and the prelude to these disputes up to the Second World War would indeed seem to support the validity of realism for an understanding of conflict resolution in international relations. To continue simplifying complex matters for the sake of coherence, realism may be summed up in the German word *Realpolitik*, extolled

²³ Jónsson, *Friends*, 34. For an understanding of how British supremacy was based on naval strength, the best volume is still Paul Kennedy, *The Rise and Fall of British Naval Mastery* (London: Fontana, 3rd ed., 1991).

²⁴ See Nye, *Understanding*, 19.

²⁵ Charles W. Kegley, Jr. and Eugene R. Wittkopf, *World Politics. Trend and Transformation* (New York: World Publishers, 7th ed., 1999), 27.

²⁶ For that basic dichotomy, see Kegley and Wittkopf, *World Politics*, 23, and Stefano Guzzini, *Realism in International Relations and International Political Economy* (London: Routledge, 1998), 16. No attempt can or should be made here to delve deeper into the numerous schools of thought on power in the discipline of international relations. It must also be mentioned that the theories which are used and discussed in this thesis are inherently vague, fluctuating and subject to numerous interpretations, exceptions and caveats, or as the famous theorist Ole R. Holsti wrote: ‘[T]he diplomatic historian who ventures into neighbouring disciplines with expectations of finding broad agreement on key concepts that are linked together in well established theories, and solidly buttressed by empirical evidence, is likely to be somewhat disappointed’. Ole R. Holsti, ‘Theories of Crisis Decision Making’, in Paul Gordon Lauren (ed.), *Diplomacy. New Approaches in History, Theory, and Policy* (New York: The Free Press, 1979), 104.

²⁷ The conflicts are often referred to as ‘fishing disputes’ which can at times be misleading, since they involved more fundamental issues than regional fishing rights. The words ‘maritime’ and ‘fishing’ will be used interchangeably in the thesis.

by Bismarck near the end of the nineteenth century and defined by Henry Kissinger some hundred years later as 'foreign policy based on calculations of power and the national interest'.²⁸ Realists maintain that conflicts between states are inevitable, that statesmen should put moral principles below the pursuit of national interests, and that military capabilities are the decisive factors in the everlasting struggle between states.²⁹ Although wars and armies are prominent in this understanding of world politics, other means, less drastic, are also at hand. 'Gunboat diplomacy' is one of these subtler weapons in the realist armoury. The term originates from the mid-nineteenth century, the heyday of Empire when Lord Palmerston shaped British foreign policy and used gunboats to demonstrate British might.³⁰ Later the term was widened and in James Cable's authoritative definition, 'gunboat diplomacy' is

... the use or threat of limited naval force, otherwise than as an act of war, in order to secure advantage or to avert loss, either in the furtherance of an international dispute or else against foreign nationals within the territory or the jurisdiction of their own state.³¹

This policy was applied in the North Atlantic to realise Britain's will in maritime matters. In the run-up to the treaties on territorial waters with Denmark in 1901 and the Soviet Union in 1930, it was not the force of the *argument* that caused decision-makers in Copenhagen and Moscow to adopt the British view. In 1896-97, a Royal Navy training flotilla twice visited Reykjavík. It was at least partly a flag-showing exercise and contributed significantly to the agreement a few years later.³² Similarly, the Bolshevik government intended to enforce the Tsarist 12-mile limit in the Barents Sea and only backed down because British warships were sent to the scene.³³ Pressure might also have been used off Norway. Had Oslo tried to enforce the historical four-mile limit, as the Royal Decree of 1935 declared, British gunboats would possibly have protected British trawlers from arrest by Norwegian coast guard vessels.³⁴

²⁸ Henry Kissinger, *Diplomacy* (New York: Simon and Schuster, 1994), 137.

²⁹ For the classic work on realism see Hans J. Morgenthau, *Politics Among Nations. The Struggle for Power and Peace* (New York: Alfred A. Knopf, 3rd ed., 1961).

³⁰ Lawrence James, *The Rise and Fall of the British Empire* (New York: St. Martin's Press, 1994), 177-179.

³¹ James Cable, *Gunboat Diplomacy, 1919-1991. Political Applications of Limited Naval Force* (Basingstoke: Macmillan, 3rd ed., 1994), 14. Also Ken Booth, *Navies and Foreign Policy* (New York: Holmes and Meier, 1977), 16-19.

³² Gísli Ágúst Gunnlaugsson, 'Fiskveidideila Íslendinga og Bretanna 1896 og 1897', *Saga*, Vol. 18, 1980, 82-83.

³³ Butler, *Soviet Union*, 90-95. PRO: MAF41/707, MAF minute, 4.7.1928.

³⁴ PRO: FO371/17222/N8587/71/30, Seal to Collier, 29.11.1933, FO371/19440/N868/62/30, Moss-Blundell to Collier, 20.2.1935, and FO371/19442/N4763/62/30, interdepartmental meeting, 14.9.1935. Also Riste, *Norway's Foreign Relations*, 126.

After the Second World War, calls for naval pressure in the North Atlantic could also be heard. They went unheeded until the outbreak of the ‘cod war’ with Iceland in 1958 when such a policy was finally implemented and proved unsuccessful. A realist explanation and understanding of the maritime disputes in this period would thus seem implausible, unlike the seemingly greater congruence between theory and events before the war. To recapitulate, if military power decides disputes where morality succumbs to expediency, then why was ‘gunboat diplomacy’ not implemented from the onset in 1948 and why did it fail in the end?

A censure of realism is no novelty in itself for as the critics have contended, it does not necessarily conform to reality.³⁵ The more or less opposite theory in international relations, the idealist approach, might therefore fit the facts better. Idealists, also called moralists or liberals, maintain that the realist calculation of capabilities does not matter most in world politics, but rather the ‘pattern of underlying national preferences’, meaning public opinion and other societal ideas, ideals of democracy and justice, and various institutional constraints.³⁶ Britain’s relative forbearance in the maritime disputes after the Second World War would then best be understood by reference to an altruistic respect for the adversary’s views. But why the change, then? Why did Britain give in with an apparently enlightened magnanimity on matters which were vigorously defended before? Robert Keohane and Joseph Nye’s theory of ‘complex interdependence’ will be useful to comprehend the change, as it emphasises how military resources or other expressions of force diminished in the new era of international relations after the Second World War.³⁷ Hence, the tentative theory is put forward here, to be tested against the run of events, that post-war decision-makers in Britain got so disoriented in the fresh environment surrounding them that they vacillated unwillingly between a reliance on predominantly idealist and realist approaches to the problems facing them in the North Atlantic.

If so, the ‘national interest’ was responsible for much of the confusion. It is ‘a singularly vague concept’, Joseph Frankel once claimed.³⁸ The most obvious disadvantage is that states may have many goals and concepts which contradict each other. The theory will thus be examined as well that the interests of Britain had become

³⁵ For a recent critique, see e.g. Jack Donnelly, *Realism and International Relations* (Cambridge: Cambridge University Press, 2000).

³⁶ For a summarisation, see Andrew Moravcsik, *The Choice for Europe. Social Purpose and State Power from Messina to Maastricht* (London: UCL Press, 1999), 497.

³⁷ Robert O. Keohane and Joseph S. Nye, Jr., *Power and Interdependence. World Politics in Transition* (Boston: Little, Brown and Company, 1977).

³⁸ Joseph Frankel, *The National Interest* (London: Macmillan, 1970), 15. For a recent summary, see H.W. Brands, ‘The Idea of the National Interest’, *Diplomatic History*, Vol. 23, No. 2, 1999, 239-261.

so complicated—or *interdependent*, to refer to Keohane and Nye's notion—that a stubborn insistence on the defence of the three-mile limit ignored other and newer aspects that were even more important. Besides, the question could even be raised whether the struggle against the tide in the North Atlantic was not just another example of Britain's troubled transition towards a reduced role in the world.

The Maritime Disputes and Foreign Policy Decision-Making

It has been said that in the first decades after the Second World War, the makers of British foreign policy were primarily 'pragmatic', unbound by ideology and always adaptable.³⁹ But it has also been said that they were nostalgic and obsessed with prestige, unable to absorb Britain's relative decline.⁴⁰ The maritime disputes in the North Atlantic must be examined against this background of pragmatism versus misapprehension, and it may be asserted right away that proper pragmatists do not pursue policies that fail. Moreover, since the 1970s at least, students of foreign policy have challenged the image of rational actors making rational decisions in a rational environment.⁴¹ 'The lens of policy-making is not made of clear glass', Anne Deighton has written, 'but it is a lens clouded with personal, career, tactical, cultural and psychological considerations'.⁴² 'Group-think' also comes to the fore, or the individuals' tendency to submerge doubts and disagreements for fear of challenging the conventional view.⁴³ Likewise, any analysis of foreign policy is 'deeply inadequate', as Cyril Buffett and Beatrice Heuser put it, if 'metaphysical dimensions of each culture, its

³⁹ For the diplomats' view, see Sir Charles Webster, *The Art and Practice of Diplomacy* (London: Chatto and Windus, 1961), 14, and Lord Strang, *The Diplomatic Career* (London: George Allen and Unwin, 1962), 110-113. For a consenting view by historians, see Joseph Frankel, *British Foreign Policy, 1945-1973* (Oxford: Oxford University Press, 1975), 3, 112-113, 329, and John W. Young, *Britain and the World in the Twentieth Century* (London: Arnold, 1997), 228.

⁴⁰ As David Reynolds and Peter Hennessy have summarised, the examination of 'decline' has been almost an 'obsession' in Britain's post-war period. David Reynolds, *Britannia Overruled., British Policy and World Power in the Twentieth Century* (London: Longman, 1991), 1, and Peter Hennessy, *Whitehall* (London: Secker and Warburg, 1989), 2. Also Richard English and Michael Kenny (eds), *Rethinking British Decline* (Basingstoke: Macmillan, 2000).

⁴¹ For a summary, see John A. Vasquez, *The Power of Power Politics. From Classical Realism to Neotraditionalism* (Cambridge: Cambridge University Press, 1998), 156-157, 164. Also Michael Clarke and Brian White (eds), *Understanding Foreign Policy. The Foreign Policy Systems Approach* (Aldershot: Edward Elgar, 1989).

⁴² Anne Deighton, 'British Foreign Policy-Making: the Macmillan Years', in Wolfram Kaiser and Gillian Staerck (eds), *British Foreign Policy, 1955-64. Contracting Options* (London: Macmillan, 2000), 11-12.

⁴³ For the classic work, see Irving L. Janis, *Groupthink. Psychological Studies of Policy Decisions and Fiascos* (Boston: Houghton Mifflin Company, 2nd ed., 1982). For a summary, see Christopher Hill, 'A theoretical introduction', in William Wallace and W. E. Paterson (eds), *Foreign policy making in Western Europe. A comparative approach* (Farnborough: Saxon House, 1978), 14-17.

subjective views of the past and its beliefs about the present are not taken into consideration'.⁴⁴

These considerations will help to explain *why* one decision was preferred over another in the maritime disputes. But an inquiry must similarly be made into *how* decisions were made. The main steps in the process of reaching decisions are clear: the problem at hand is defined, objectives which might constitute a solution are set and a strategy for action is then constructed. In practice, however, the course is rarely this simple.⁴⁵ Furthermore, conflicts may be prolonged and during the maritime disputes, the decision-makers in London repeatedly had to address the same or similar issues. No matter how strong the hold of original ideas, did they not learn some lessons over time? Theories of representation and re-representation in decision-making will prove useful to understand how and why Britain's original position developed—or did not develop, as the empirical evidence may show.⁴⁶

An examination of *how* is necessarily connected with the question of *who*. Who exactly were the 'decision-makers'? Just like the 'national interest' was not as simple as some of its protagonists supposed, so is this entity more diverse than many students of foreign policy used to believe. The prevalent view today holds that '*Innenpolitik* is in'.⁴⁷ The body of decision-makers is then greatly widened to include public opinion, interested politicians and pressure groups, like the trawling industry during the disputes in the North Atlantic. Naturally, the influence from these quarters is open to interpretation. For instance, were the trawler owners and crews a 'powerful political lobby', as has been asserted, or was it true that they 'scarcely knew their way around Whitehall'?⁴⁸ Various sections within the bureaucracy may also get involved, and with complexity often comes confusion, disagreement and procrastination. In his short stint as Foreign Secretary in 1951, Herbert Morrison famously declared that '[f]oreign policy

⁴⁴ Cyril Buffett and Beatrice Heuser, 'Conclusions: Historical Myths and the Denial of Change', in Cyril Buffett and Beatrice Heuser (eds), *Haunted by History. Myths in International Relations* (Oxford: Berghahn Books, 1998), 274.

⁴⁵ Glenn H. Snyder and Paul Diesing, *Conflict Among Nations: Bargaining, Decision Making, and System Structure* (Princeton: Princeton University Press, 1977), 361-369.

⁴⁶ See Robert S. Billings and Charles F. Hermann, 'Problem Identification in Sequential Decision Making: The Re-representation of Problems', in Donald A. Sylvan and James F. Voss (eds), *Problem Representation in Foreign Policy Decision Making* (Cambridge: Cambridge University Press, 1998), 53-79.

⁴⁷ Fareed Zakaria, 'Realism and Domestic Politics. A Review Essay', *International Security*, Vol. 17, No. 1, 1992, 177, 198. Also James N. Rosenau, *Along the Domestic-Foreign Frontier. Exploring Governance in a Turbulent World* (Cambridge: Cambridge University Press, 1997), 3-6.

⁴⁸ For the former reference, see Jónsson, *Friends*, 91. For the latter, see Morris Davis, 'Hannes Jónsson, Friends in Conflict: The Anglo-Icelandic Cod War and the Law of the Sea' (book review), *American Political Science Review*, Vol. 78, No. 2, 1984, 563. One of the best studies of the relationship between domestic politics and foreign policy-making in Britain is still William Wallace, *The Foreign Policy Process in Britain* (London: Allen and Unwin, 1976).

would be OK except for the bloody foreigners’,⁴⁹ but during the maritime conflicts the diplomats in the Foreign Office might well have bemoaned that the making of foreign policy would be fine if it were not for their fellow countrymen. An interesting theory can therefore be broached: was the mechanism itself to blame for churning out the wrong decisions, or no decisions at all? Would the ‘experts’ in the Foreign Office perhaps have forced through the rational conclusion of concessions in the North Atlantic some time sooner, if they had not lost out in the ‘battle of Whitehall’?⁵⁰

Sources and Structure

A rich variety of material will be used to explain and understand the whole story. The thesis is primarily based on research in public and private archives in Belgium, Canada, Denmark, Norway, Germany, Russia, the United States, and of course mainly in Britain and Iceland.⁵¹ Along with interviews and a variety of secondary sources, the material in these repositories provides an opportunity to write a truly international history, rich in contrasts and comparisons.

The thesis is divided into four chronological sections: 1948-52, 1952-56, 1956-60 and 1960-64. Section One begins with an analysis of the new political and strategic background in the North Atlantic after the Second World War. The Nordic states, aiming to increase the control of their adjacent waters, seemed willing to use, or even abuse, the constraints of alliance on Britain. This was first apparent in Norway where the authorities decided to enforce fully the old four-mile limit and British decision-makers felt, for a variety of reasons, that they had to contest this ‘encroachment’ on the oceans. Although they were at times tempted to threaten the use of ‘gunboat diplomacy’, the case was ultimately referred to The International Court of Justice at The Hague. As for Iceland, meanwhile, the idealistic or moral aspect of Britain’s ‘national interest’ clearly influenced decision-making in London. The Icelanders would be helped to expand their fishing industry because otherwise they would ‘starve’. This attitude, part strategic but altruistic as well, proved weightier than simple support for the wishes of the British trawlermen and owners. Finally, the chapter discusses interdepartmental debates in Whitehall; the reluctance to admit that Britain’s capabilities had diminished and that her interests should thus be redefined.

⁴⁹ Quoted in John Dickie, *‘Special’ No More. Anglo-American Relations: Rhetoric and Reality* (London: Weidenfeld and Nicolson, 1994), 66.

⁵⁰ A title of a chapter on departmental differences in the making of foreign policy. James Barber, *Who Makes British Foreign Policy?* (Milton Keynes: Open University Press, 1976), 47-65.

⁵¹ See bibliography for details. A fair amount of files in the national archives of Canada, Denmark, Norway, Russia and Britain was specifically declassified at the author’s request.

Section Two continues in London and scrutinises the continued failure of the decision-making body to respond to changes in the law of the sea, most notably the loss before the International Court in the dispute with Norway. This maladjustment became clear when Britain refused to accept the extension of Iceland's fishing limits on 'Norwegian' lines. The idealistic concern for Iceland's interest was replaced by *Realpolitik*. Formation of British foreign policy was effectively surrendered to the trawler owners and skippers in Hull and Grimsby who calculated that a ban on the landings of Icelandic catches in Britain would force the rulers in Reykjavík to back down. Qualified success in negotiations with Moscow over fishing in the Barents Sea and with Copenhagen because of Faroese waters increased hopes that Britain could have her way in maritime matters. But the tide was obviously turning. Surrender was inevitable in the struggle against the Icelanders, supremely committed and cunningly aware of their power in the new strategic environment. The chapter concludes as it began, by a survey of adverse currents on the international scene which British politicians and officials still refused to accept.

Section Three is about the climax of the disputes. The United Nations convened two international conferences to codify the width of fishing limits and territorial waters, at Geneva in 1958 and 1960. Both failed, in part because traditional 'three-milers' like Britain were reluctant to accept change, refusing on the former occasion what they were ready to accept the second time around, when it was too late. A similar sequence of events characterised the 'cod war' with Iceland, by far the most serious dispute in the period. The authorities in Reykjavík, having declared a 12-mile fishing limit after the UN conference in 1958, did not help by showing the utmost intransigence which facilitated the critical temptation in London to use 'gunboat diplomacy' instead of accepting the inevitable. Royal Navy warships sailed north to protect British trawlers within the new line and clashes with Icelandic coast guard vessels occurred. A wave of fury swept Iceland, the country's presence in NATO was put at risk and that was definitely not in Britain's perceived 'national interest'. Neither, however, did a retreat look appealing, especially because a withdrawal off Iceland would weaken the resistance elsewhere in the North Atlantic, as well as the general principle of narrow territorial waters. A qualified victory around the Faroe Islands also fed the wishful thinking that the Icelanders might prove as amenable. So, for the time being, Britain stuck to her guns.

Section Four is about surrender. Notwithstanding the inconclusive outcome at Geneva in 1960, the three-mile rule was undeniably dead and a 12-mile limit of some

kind offered the least injurious concession for Britain. Defeat was first admitted off Norway, then Iceland and the Soviet Union, and as before, the rulers in London could hold out the longest against the minuscule Faroe Islanders. The section concludes with Britain's own extension of fishing limits in 1964. Thus ended the age-long defence of the three-mile rule which had culminated in a series of last ditch battles in the North Atlantic for the previous decade and a half.

Thirty years later, an anonymous records reviewer in the Foreign and Commonwealth Office wondered whether one particular overview of Britain's policy could safely be put in the public domain, as it 'sets out some contradictions and inconsistencies in the UK position on territorial waters & fishing limits'.⁵² That was an understatement. The die-hard attitude was unwise, ultimately self-damaging and far from pragmatic. Fortunately, however, the paper was released, along with other similar sources. The reason was, as the relevant department at the Foreign and Commonwealth Office pointed out, that 'intl. law has moved on'.⁵³ But if only that sagacious conclusion had been reached sooner, when it really mattered! Here is what happened instead.

⁵² PRO: FO371/176335/GW2/251, reviewer note, 10.5.1994. The worry was that the paper 'could still conceivably be used to the UK's disadvantage in ... future negotiations or litigation'.

⁵³ PRO: FO371/176335/GW2/257, FCO note, 18.7.1994.

I. Britain at Sea. Defence of the National Interest in a New Environment, 1948-52

1.1. The Acquisition of Vital Allies. An Alliance to Preserve National Interests, 1948-49

Britain's quest for a continued global role after the Second World War greatly influenced the formation of the Atlantic Alliance, which in turn affected the outcome of the maritime disputes with Norway, Denmark and Iceland. On the whole, British policy-makers felt that the calamities of the immediate post-war period did not constitute a permanent change in world affairs. Britain was still a 'great power', Foreign Secretary Ernest Bevin declared in 1947.¹ 'Old Palmerston', the creator of 'gunboat diplomacy', was Bevin's favourite statesman and indeed one critic on the left remarked that the Foreign Secretary was but Lord Palmerston wearing a cloth cap.² Still, Bevin was more shrewd than unrealistic. When the United States offered large-scale economic aid to Europe that same year, he was quick to seize the opportunity. His enthusiastic support for the Marshall Plan, as the project became known, was part of his strategy that Britain should have a place alongside the United States in the 'Big Power league'.³ The methods and means would be different, but the end the same as before: protection and advancement of British interests and prestige. Precisely the same accounted for the formation of the North Atlantic Treaty Organisation, where Bevin played a large role which has been well researched.⁴ That can also be said about the Nordic states' involvement in the process.⁵ It is the apparent congruence of national interests between Britain and those Nordic neighbours who chose to participate in the alliance which needs to be emphasised here.

¹ See Laurence Martin and John Garnett, *British Foreign Policy. Challenges and Choices for the 21st Century. Chatham House Papers* (London: RIIA, 1997), 1. Also Robert Holland, *The Pursuit of Greatness. Britain and the World Role, 1900-1970* (London: Fontana, 1991), 205-207.

² See Michael Blackwell, *Clinging to Grandeur. British Attitudes and Foreign Policy in the Aftermath of the Second World War* (Westport, Connecticut: Greenwood Press, 1993), 31.

³ Dickie, 'Special' No More, 54-55.

⁴ E.g. Ritchie Ovendale (ed.), *The Foreign Policy of the British Labour Governments 1945-1951* (Leicester: Leicester University Press, 1984), Michael Dockrill and John W. Young (eds), *British Foreign Policy, 1945-56* (London: Macmillan, 1989), Anne Deighton, *The Impossible Peace. Britain, the Division of Germany and the Origins of the Cold War* (Oxford: Clarendon Press, 1990), and Anne Deighton (ed.), *Britain and the First Cold War* (Basingstoke: Macmillan, 1990).

⁵ The most detailed work is still Geir Lundestad, *America, Scandinavia and the Cold War* (New York: Columbia University Press, 1980). Also Rolf Tamnes, *The United States and the Cold War in the High North* (Aldershot: Dartmouth, 1991). For a summary, see Jussi M. Hanhimäki, *Scandinavia and the United States. An Insecure Friendship* (New York: Twayne, 1997), 10-37.

By the end of 1947, friction between East and West had turned into bitter animosity. The Cold War had clearly begun. On December 17, Bevin told representatives of the United States, Canada and France that civilisation would only be saved from Soviet destruction if the nations of Western Europe joined hands, backed by North America. The Foreign Secretary had further aims as well, however. In a Cabinet memorandum at the beginning of 1948, he concluded that Britain could use the turn of events to her own advantage:

Provided we can organise a Western European system ... backed by the power and resources of the Commonwealth and of the Americas, it should be possible to develop our own power and influence to equal that of the United States of America and the USSR. We have the material resources in the Colonial Empire, if we develop them, and by giving a spiritual lead now we should be able to carry out our task in a way which will show clearly that we are not subservient to the United States of America or to the Soviet Union.⁶

This was linked to Britain's 'third way', a means to preserve prestige and the national interest, with which Bevin and the Foreign Office had toyed since the clear deterioration in relations with Moscow after the war. Britain would use the power of the United States to preserve her own place in the world.⁷ The Cold War, therefore, was 'almost a blessing' for all those intent on preserving Britain's role as a world power.⁸ In a way, Lord Ismay's well-known dictum on the formation of NATO might be amended by saying that the alliance was founded to keep the Americans in, the Russians out, the Germans down—and Britain up.

On January 22, 1948, Bevin famously announced his vision of a Western military union, initially with France and the Benelux countries. An involvement in such an enterprise would involve a dramatic turn from long-standing traditions of disengagement and some ministers were certainly inclined to view the national interest in more conservative terms.⁹ After all, as Palmerston had famously declared, Britain had 'no eternal allies and ... no perpetual enemies'.¹⁰ In the privacy of a Cabinet paper, the Foreign Secretary had therefore emphasised the advantages of alliance for Britain's

⁶ PRO: CAB129/23, CP(48)6, Bevin memorandum, 4.1.1948. Also Blackwell, *Clinging*, 25.

⁷ On the 'third way', see John Kent, 'Bevin's Imperialism and the Idea of Euro-Africa, 1945-49', in Dockrill and Young, *British Foreign Policy*, 47-76. Also Stuart Croft, *The End of Superpower: British Foreign Office Conceptions of a Changing World, 1945-51* (Aldershot: Dartmouth, 1994), 70-108.

⁸ C.J. Bartlett, *British Foreign Policy in the Twentieth Century* (Basingstoke: Macmillan, 1989), 90-91. Also Deighton, *Impossible Peace*, 229-235.

⁹ See Ritchie Ovendale, *Anglo-American Relations in the Twentieth Century* (Basingstoke: Macmillan, 1998), 73.

¹⁰ For this oft-quoted remark, see e.g. 'Viscount Palmerston', <<http://www.number-10.gov.uk/output/page149.asp>>, accessed 2.4.2003.

prestige and world influence but the plan was clearly contradictory: backward and nostalgic in its aim for greatness, novel and pragmatic in its means. From the start, this tension made total success highly unlikely.

The Nordic states quickly became involved in Britain's alliance building. The Second World War had demonstrated that they were no longer on the periphery in European conflicts. Finland fought bitter wars with the Soviet Union; Germany occupied Denmark and Norway; and Iceland grudgingly accepted a British occupation of the island which was then replaced—more to the liking of the Icelanders—with American military presence. Britain also occupied the Faroe Islands and only Sweden preserved her formal neutrality. In the first years after the war, geopolitics determined that the Finns had to accept Soviet limitations on their freedom of action. The other Nordic nations opted for strict nonalignment or, if the need were to arise, a regional alliance to fend off potential aggressors.¹¹ Thus, they did not go out of their way to applaud Bevin's words in January 1948 about the need for Western unity.¹²

But then came the watershed. At the end of February 1948, the communists in Czechoslovakia abused their considerable popularity in the country and usurped power. News of the coup hastened the signature of a defensive alliance, the Brussels Pact, between Britain, France and the Benelux countries, and the repercussions from Prague were as clear in the Nordic states, in relatively close proximity to the Soviet Union.¹³ Greatest was the anxiety in Oslo where it was rumoured that Stalin would soon ask the Norwegians to sign a defence treaty with the Soviet Union.¹⁴ On March 8, Foreign Minister Halvard Lange told Laurence Collier, Britain's Ambassador in Oslo, and his American colleague, Charles Ulrick Bay, that the Norwegians would never bow to Moscow's demands. He also insisted, however, that Norway could not resist such a powerful opponent alone. If the worst came to the worst he wanted to know what help

¹¹ E.g. Knut E. Eriksen, 'Norge i det vestlige samarbeid', in Trond Bergh and Helge Ø. Pharo (eds), *Vekst og velstand. Norsk politisk historie 1945-1965* (Oslo, 3rd ed., 1991), 197-199, Geir Lundestad, 'The Evolution of Norwegian Security Policy: Alliance with the West and Reassurance in the East', *Scandinavian Journal of History*, Vol. 17, No. 2, 1992, 227-229, and Nikolaj Petersen, *Denmark and NATO 1949-1987* (Oslo: IFS, 1987), 7-10.

¹² Lundestad, *America*, 200-201. PRO: FO371/71449/N1630/637/63, Collier to FO, 12.2.1948. FO371/71450/N1981/637/63, Jerram to Hankey, 17.2.1948. FO371/71450/N2460/637/63, Randall to Collier, 25.2.1948.

¹³ Hanhimäki, *Scandinavia*, 26-33.

¹⁴ Maxim Korobochkin, 'Soviet Policies toward Finland and Norway, 1947-1953', unpublished paper presented to the conference, 'The Nordic States and the Cold War', of CWIHP, London School of Economics and Political Science, and University of Iceland, Reykjavík, 24.-27.6.1998. Also PRO: DEFE5/10, COS memorandum, 23.3.1948.

was to be expected from Britain and the United States.¹⁵ The Czech take-over had therefore shocked the Norwegian authorities and secured their support for Bevin's idea of Western defence co-operation.¹⁶ In the words of Rolf Tamnes, 'the Norwegians joined the British "conspiracy" to nail the Americans to the defence of Europe'.¹⁷ The United States, Britain and Canada began secret talks on an Atlantic Pact, on the lines that Bevin envisaged.

The crisis in early 1948 soon eased. We now know, furthermore, that Stalin had no master plan to first conquer Prague and then Oslo or other weak spots within reach.¹⁸ Hence, the drive for an Atlantic military alliance was not only based partly on undisclosed motives in the case of Britain, but also to some extent on unfounded fear on all sides in the West. Moreover, headstrong realists could still argue in a Palmerstonian manner that alliances should primarily be made on the basis of gains and losses in military terms. In 1948, the British Chiefs of Staff maintained that Britain's security would not be enhanced by a pact with Scandinavia. In April, for instance, only a few weeks after the coup in Czechoslovakia, they did not include the region in a category of countries where communist domination would place the safety of the Commonwealth 'in mortal danger'.¹⁹ The strategic view only applied to one section of the whole scene, however. Apart from short moments of high tension, such as the Prague coup or the imposition of the Berlin blockade in the summer of 1948, the primary fear was not about military aggression. Communism, it was strongly believed, fed on instability, discord and confusion. Norway's membership of the Western alliance had become, as the Foreign Office told the demurring Chiefs of Staff, 'part of the "Cold War" and her non-association in it might well be represented as a Russian diplomatic victory'.²⁰

In 1948, the need for 'the stepping-stone countries' influenced the final shape of the emerging Atlantic Pact as well. The United States insisted that a transatlantic alliance would be inconceivable without the inclusion of Iceland, Greenland (a Danish colony)

¹⁵ *Foreign Relations of the United States* [henceforward *FRUS*] 1948 III (Washington, DC: United States Government Printing Office, 1974), 46-48, British aide-mémoire, 11.3.1948.

¹⁶ NARA: RG263, Records of the Central Intelligence Agency. The Murphy Collection on International Communism 1917-1958. Norway, Box 141, '4201 Norway 1948'. US Military Attaché, Oslo, to MILID, Washington, 2.3.1948.

¹⁷ Tamnes, *United States*, 41. Eriksen, 'Norge', 203-204.

¹⁸ Vojtech Mastny, *The Cold War and Soviet Insecurity. The Stalin Years* (Oxford: Oxford University Press, 1996), 191-198. Also Vladislav Zubok, 'Stalin's Plans and Russian Archives', *Diplomatic History*, Vol. 21, No. 2, 1997, 295-296.

¹⁹ PRO: DEFE6/5, JP(48)8, JPS report, 2.2.1948. DEFE5/10, COS(48)89(0), COS memorandum, 15.4.1948. CAB158/5, JIC(48)118, JIC report, 4.11.1948.

²⁰ PRO: DEFE4/19, COS(49)21st meeting, 9.2.1949. Also DEFE5/8, COS(48)128, Hankey to COS, 21.10.1948.

and the Azores, which belonged to Portugal.²¹ As for Iceland, the coalition government of the Conservative Party, the centrist Progressive Party, and the Social Democrats, would only contemplate membership if Norway and Denmark joined as well. Thus, there was added reason to work for the inclusion of those Scandinavian states.²²

The value of Iceland could not be underestimated. For American strategists in the late 1940s, the island was both a vital defensive link and a site for an atomic counteroffensive by medium range bombers if British bases were destroyed in a Soviet attack.²³ The United States was therefore prepared to wage war over Iceland, and although a Communist take-over on the island was considered unlikely, it could easily have been done. The pro-Moscow Socialist Unity Party in Iceland polled up to 20% of votes in elections,²⁴ and without armed forces, Iceland was easy prey.²⁵ In the summer of 1948, Western-minded politicians in Reykjavík had experienced their own disquiet when a large Soviet herring fleet appeared off the island's coast. Some of them even feared that an invasion could be in the offing, akin to the Nazi surprise attacks on Denmark and Norway in 1940.²⁶ The majority of Icelanders were reaching the conclusion that neutrality would never be respected in a future war and Bjarni Benediktsson, the Conservative Foreign Minister, proved instrumental in aligning Iceland with the West. The Socialists strongly disliked this man of 'iron will',²⁷ as did others of a loud minority in Iceland who felt strongly that the new republic which only gained independence from Denmark in 1944 should not take sides in the Cold War. Benediktsson worked for securing military guarantees from Britain and the United

²¹ Lawrence Kaplan, *The United States and NATO. The Formative Years* (Lexington, Kentucky: The University Press of Kentucky, 1984), 108-109, Escott Reid, *Time of Fear and Hope. The Making of the North Atlantic Treaty 1947-1949* (Toronto: McClelland and Stewart, 1977), 195-197, and Tamnes, *United States*, 41-44.

²² Valur Ingimundarson, *The Struggle for Western Integration. Iceland, the United States, and NATO during the First Cold War* (Oslo: IFS, 1999), 29. Thór Whitehead, *The Ally Who Came in from the Cold. A Survey of Icelandic Foreign Policy 1946-1956* (Reykjavík: University of Iceland Press, 1998), 33-39.

²³ Valur Ingimundarson, 'The Illogic of Passivity: The Role of Iceland in NATO and US Strategic Thinking, 1945-1965', unpublished paper presented to the conference, 'The Nordic States and the Cold War', of CWIHP, London School of Economics and Political Science, and University of Iceland, Reykjavík, 24.-27.6.1998, 1-4.

²⁴ The Socialist Unity Party was formed in 1939, through an amalgamation of the Communist Party and a splinter group from the Social Democratic Party. As will be seen in direct quotations in the thesis, diplomats in Iceland usually referred to its members as Communists. In the text they will also be referred to as Socialists, however, as that description is more in accordance with the party's name and latter-day usage. See e.g. Ingimundarson, *Struggle*, 25.

²⁵ For the American perceptions of this threat, see Ingimundarson, *Struggle*, 15-37. Whitehead, *Ally*, 33-39. For the British view, see PRO: CAB159/4, JIC(48), 140th meeting, 16.12.1948. CAB159/5, JIC(49), 13th meeting, 2.2.1949. CAB158/5, JIC(48)137, JIC report, 3.2.1949.

²⁶ NARA: RG263, Records of the Central Intelligence Agency. The Murphy Collection on International Communism 1917-1958. Iceland, Box 126, '4201 Iceland 1948'. Byrns to Acheson, 21.7.1948, and Butrick to Acheson, 11.11.1948.

²⁷ On Benediktsson, see Whitehead, *Ally*, 35. Also Ólafur Egilsson (ed.), *Bjarni Benediktsson í augum samtíðarmanna* (Reykjavík: Almenna bókafélagid, 1983).

States, and these arrived in the shape of an invitation to join the Atlantic Pact in December 1948. Having ascertained Norwegian and Danish accession, the government in Reykjavík also joined up.²⁸

With the foundation of NATO in April 1949, the ultimate national interests of Britain, Norway, Denmark, Iceland and other member-states were united. Communist subversion or attack on one state would be considered an attack on all of them. On the other hand, Bevin's scheme for Britain's greatness failed. Instead, NATO became, as one commentator put it, the 'visible political symbol of *Pax Americana*' in Europe.²⁹ And more to the main theme of the thesis, British decision-makers felt that their Nordic allies proved at least sometimes annoyingly insensitive to the responsibilities which accompanied membership in a union. 'Old Palmerston' would have found it difficult to operate in an alliance with a superpower on the one hand and materially weaker yet strong-minded partners on the other.

²⁸ Whitehead, *Ally*, 35-39. For a comparative study of a small state, strategically important but reliant on stronger powers for its security, see Eliza Reid, 'The Place of Belgium in Anglo-French Relations, 1934-36' (MSt thesis, University of Oxford, 1999).

²⁹ Kaplan, *United States*, 179.

1.2. 'Surprise and Dismay'. Norwegian Encroachment on British Interests, 1948-49

The Anglo-Norwegian dispute over territorial waters in 1948-51 was the most serious conflict between the two states after the Second World War to the present day.³⁰ It was an aberration, as relations between the two countries were highly close and cordial.³¹ But quarrels between friends can be quite delicate and the timing of the dispute made it especially troublesome. When the Cold War was intensifying and the Western world was moving hesitantly towards unity, the last thing needed was an altercation in the allied camp. Although statesmen in London and Oslo did not worry too much about the maritime dispute, preoccupied as they were with the formation of the Atlantic Pact, they could never divorce completely these conflicting interests of security and sea.

In the winter of 1947-48, British trawlers reappeared off the coast of North Norway. The local fishermen immediately grew resentful and their politicians condemned the 'trawler plague'.³² In a closed session on June 26, Norway's parliament, the *Storting*, resolved that the Royal Decree of 1935, the 'Blue Line' of a four-mile limit, would be fully enforced.³³ Not only was that line a mile wider than Britain was willing to recognise but the low-water mark principle was also ignored. Instead, the limit was drawn from baselines, the longest 44 miles long, across fjords and between the innumerable islands of the Norwegian coast, the 'skjaergaard'.³⁴ In mid-September, when the winter season was nearer, Halvard Lange informed Ambassador Collier that the coast guard service was to prevent all trawling inside the 'Blue Line'.³⁵ This was bad news for Britain, and it would be contested. Collier was promptly instructed to express in Oslo 'our surprise and dismay at the Norwegian decision to apply without warning a measure which is known to be utterly unacceptable to His Majesty's

³⁰ Arve Rollag, 'A Special Relationship? Norge og Storbritannia 1949-1960', (BA thesis, University of Oslo, 2000), 54. For other overviews of the dispute, see Fløistad, 'Hovedlinjene', 54-64, Knut Einar Eriksen and Helge Ø. Pharo, *Kald krig og internasjonalisering 1949-1965. Norsk utenrikspolitikks historie V* (Oslo: Universitetsforlaget 1997), 353-359, Jens Evensen, 'The Anglo-Norwegian Fisheries Case and its Legal Consequences', *AJIL*, Vol. 46, 1952, 609-630, and C.H.M. Waldock, 'The Anglo-Norwegian Fisheries Case', *British Yearbook of International Law*, Vol. 28, 1951, 114-171.

³¹ On the closeness of Anglo-Norwegian ties in the first decade after the Second World War, see Mats Berdal, *The United States, Norway and the Cold War* (New York: St. Martin's Press, 1997), 59.

³² *Stortingstidende 1948* (Oslo: Centraltrykkeriet, 1949), debates 29.5.1948, 1258-1265.

³³ Parliamentary Archives, Oslo [henceforward SA]: closed parliamentary session, 26.6.1948.

³⁴ The low-water mark is the division between land and sea at low tide. On baselines, see Churchill and Lowe, *Law*, 26-50.

³⁵ PRO: FO371/71488/N10065/128/30, Collier to FO, 16.9.1948.

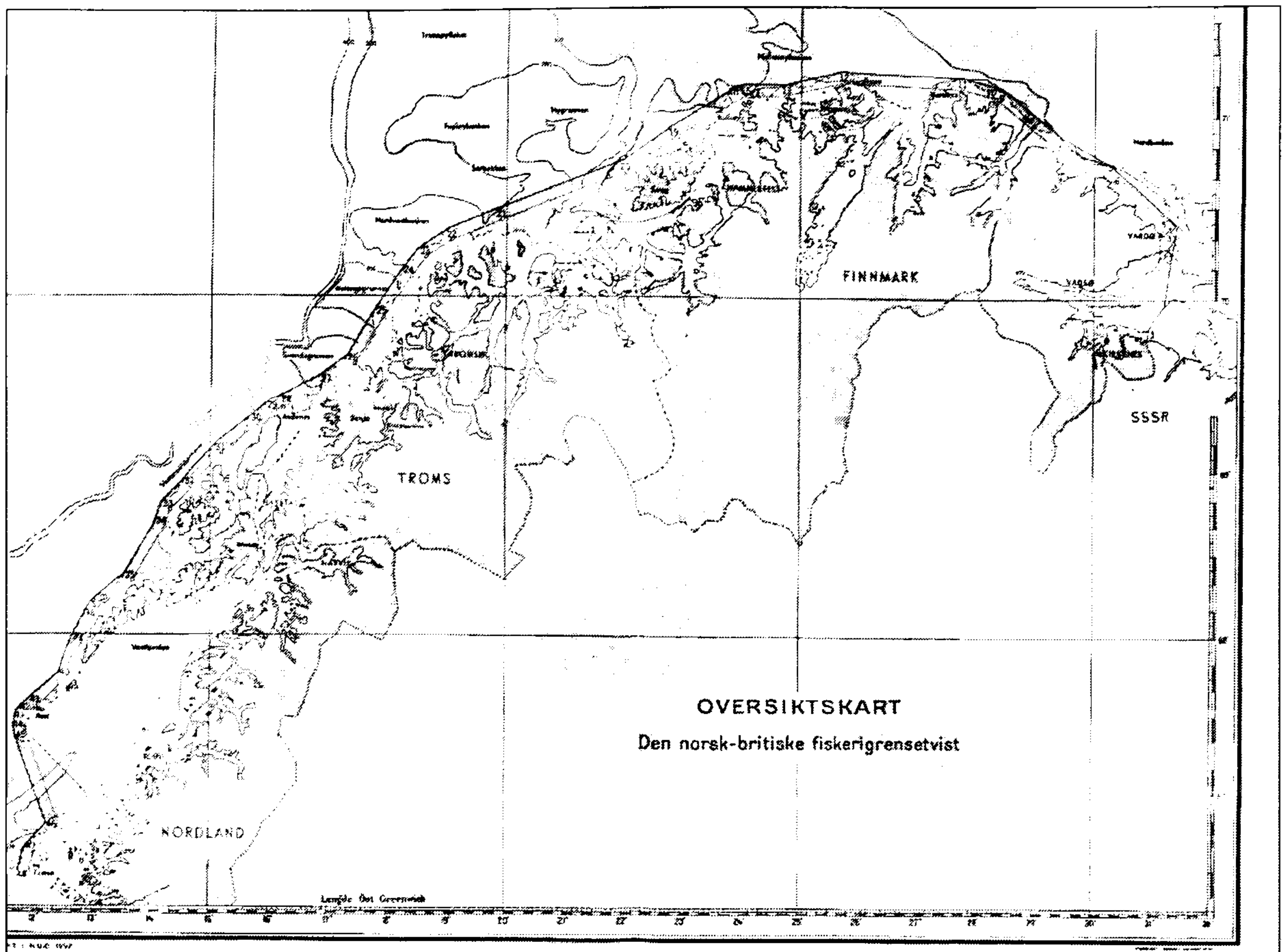


Figure III. Territorial waters off North Norway. Shaded areas show the difference between the baseline-measured 'Blue Line' from 1935 and three miles from the low-water mark.

Government'. The Royal Navy would have to protect British trawlers and ugly incidents could take place. Instead, Britain suggested fresh negotiations or referral to the International Court of Justice at The Hague. The compromise 'Red Line' from the 1930s should be in force until the dispute had been settled.³⁶

The message from London was simple: if Norway did not back down, 'gunboat diplomacy' would be applied. Apparently, the threat was credible and a few months later, Norway's Fisheries Minister Jens Bull recalled Sir Edward Grey's pledge that Britain would go to war to defend the three-mile limit.³⁷ But the anomaly over the use of force was of course enormous and in London, Ambassador Per Preben Prebensen complained that in this day and age, the British response was outrageous.³⁸ The first line of defence in the maritime dispute, which was conveyed to the Norwegians in late September 1948, was probably meant to shock the transgressor into retreat—politely but firmly. The threat was in order because it would not have to be carried out.

In practical terms, the necessary strength was still at hand. Before the Second World War, a vessel from the Royal Navy Fishery Protection Squadron had frequently

³⁶ PRO: FO371/71488/N10569/128/30, interdepartmental meeting, 24.9.1948, and FO371/71488/N10065/128/30, FO to Oslo, 25.9.1948.

³⁷ SA: joint meeting of foreign affairs committee and maritime and fishing committee, 2.2.1949.

³⁸ National Archives, Oslo [henceforward RA-NOR]: 11001/31.6.5/III, Prebensen to Oslo, 19.11.1948.

accompanied the trawling fleet to the Norwegian grounds and the Barents Sea. Medical and technical assistance was provided, as well as help in establishing a trawler's position when the home authorities made charges for poaching.³⁹ A larger and more assertive mission could well be imagined. The first reaction in London also fitted well with Foreign Office memories of the 1930s. In that period, the Norwegian problem was mostly handled by Collier, an aspiring young man in the service.⁴⁰ Now that the conflict had flared up again he was to argue, as Ambassador in Oslo, that before the war this stubborn people had only been 'induced to see reason' when the appearance of a warship 'made them believe that we meant business'.⁴¹ The new situation was entirely different but the Ambassador felt himself in the environment of the 1930s, suggesting the same old solutions.

Furthermore, in 1948 the rationale for action remained impressive. Throughout the dispute, British policy-makers would not accede to Norway's 'Blue Line' for five closely connected reasons which time and again will appear in this thesis: pressure, prestige, principle, precedence and power. The pressure came from the British distant-water trawling industry.⁴² While fisheries only accounted for less than 1% of Britain's gross national product, trawling was of great importance in Hull and Grimsby, the two largest fishing ports in the world at the time, and to a lesser extent in Fleetwood and Aberdeen.⁴³ The civil servants in Whitehall consulted the industry, primarily the trawler owners, and found them united against any concessions.⁴⁴ And they were 'very tough people', as the Foreign Office told Norwegian diplomats, half-apologetically.⁴⁵ Britain's prestige was involved as well. How could a maritime power tolerate a clear infringement of its perceived fundamental interests on the oceans? In this sense, the Anglo-Norwegian dispute involved the wider cultivation of Britain's greatness which influenced general decision-making in London.⁴⁶ Closely connected to the concern for prestige was the good principle of narrow territorial waters. The Admiralty pointed out that wide limits could impede or exclude access to vital outposts of the British Empire and that enemy states would abuse waters under the jurisdiction of neutral states.⁴⁷

³⁹ PRO: ADM1/27623, SOFP Captain Mackay report, 7.4.1948.

⁴⁰ E.g. PRO: FO371/19442/N4340/62/30, Collier minute, 6.9.1935.

⁴¹ PRO: FO371/77463/N6076/1351/30, Collier to Hankey, 28.6.1949.

⁴² In this thesis, the 'trawling industry' is often a shorthand for the various groups which were involved with distant water trawling: trawler owners, skippers and crews, and fish merchants and longshoremen.

⁴³ Jónsson, *Friends*, 7, and Robinson, *Trawling*, 2.

⁴⁴ PRO: FO371/77459/N419/1351/30, FO note, 5.1.1949.

⁴⁵ RA-NOR: 11001/31.6.5./III, Prebensen to Oslo, 19.11.1948.

⁴⁶ For a discussion of prestige and maritime policy, see Booth, *Navies*, 50-53. Also Harrington, "'The Mighty Hood'", 171-185.

⁴⁷ PRO: FO371/71503/N12881/2058/30, Donaldson to Vallat, 22.11.1948.

Britain was still prepared to recognise Norway's historic title to a four-mile zone but only if the limit was drawn from the low-water mark, not baselines.⁴⁸ Here the problem of precedence entered the frame because a settlement with Norway would affect decisions in Reykjavík. The authorities there clearly wanted to extend fishery limits, they followed the Anglo-Norwegian dispute closely, and the fishing grounds off Iceland were much more important for the British industry than Norwegian waters.⁴⁹ Finally, the sheer existence of greater power did have a bearing on British decision-making. Whereas it is often said that with power comes responsibility, it also contains the temptation to wield it.⁵⁰ To compare, Margaret Thatcher wrote on the decision to employ naval power to recapture the Falkland Islands from Argentinean forces in 1982 that 'effective diplomacy would have been impossible without the despatch of the task force. As Frederick the Great once remarked, "diplomacy without arms is like music without instruments"'.⁵¹ In short, the main question is not whether Britain could have conceded defeat in the dispute with Norway, but rather why she did not safeguard more forcefully her almost sacred rights on 'the high seas'.

Britain might have had solid reasons to defend the right to fish for cod off the coast of North Norway. Even so, there were serious strategic flaws in conveying warnings about the possible despatch of warships. Sir Eric Beckett, the influential Legal Adviser at the Foreign Office, warned that Britain could be severely criticised on the international scene and a possible case prejudiced at The Hague.⁵² And then there was the strategic aspect. Both Beckett and Robin Hankey, Head of Northern Department in the Foreign Office, underlined the political disadvantages of violent clashes in the disputed waters when Britain was working for Norway's inclusion in the Atlantic Pact.⁵³ At least initially, therefore, the strong words were not followed by resolute action and in late November the first British trawler was arrested inside the wide 'Blue Line'.⁵⁴ More would most likely follow. London protested but Oslo had called the bluff.

Norwegian indifference to British warnings meant that tactics had to be reconsidered in London, and now at the highest levels. Like Beckett and Hankey, Ernest

⁴⁸ PRO: FO371/71488/N10569/128/30, interdepartmental meeting, 24.9.1948.

⁴⁹ For Icelandic interest in the dispute, see ThÍ-URN: 1996-B/63-1 15.D.001.1, Reykjavík to London and Oslo, 5.1.1951.

⁵⁰ See Habeeb, *Power*, 3.

⁵¹ Margaret Thatcher, *The Downing Street Years* (London: HarperCollins, special overseas ed., 1995), 191.

⁵² On Beckett, see Etherington-Smith to author, 20.10.2000.

⁵³ PRO: FO371/71488/N10065/128/30, Beckett and Hankey minutes, 24.9.1948.

⁵⁴ PRO: FO371/71503/N12791/2058/30, Collier to FO, 30.11.1948.

Bevin worried about the consequences of intransigence in the dispute on the preferred inclusion of Norway in the Atlantic Pact.⁵⁵ In late 1948, an escalation of the conflict by sending warships to the fishing grounds was not even considered. There would still have to be a compromise, though, and already on November 15, the Cabinet resolved that a judgement by the International Court of Justice seemed to offer the best solution.⁵⁶ Both Beckett and Francis Vallat, assistant Legal Adviser in the Foreign Office, were confident of a reasonably favourable verdict. True, Britain would have to accept Norway's historic claim to a four-mile zone (it would not even be contested) but the use of the baseline method would probably be rejected.⁵⁷ British faith in victory at The Hague was enhanced further by signs that Norwegian diplomats agreed with that prediction.⁵⁸ Foreign Minister Lange even seemed displeased that the affair had started at all in the first place and, using much the same words as British officials, he claimed to be 'most anxious to avoid Anglo-Norwegian friction over such matters in view of the present European situation'.⁵⁹

To some extent, therefore, the dispute was not only between Britain and Norway, but also between Lange and Norwegian diplomats on the one hand, prepared to back down for the sake of Western unity, and on the other single-minded politicians in Oslo and their clients in the high north who feared for their interests. The Foreign Minister, however, was not oblivious to the anxieties of the local fishermen. He simply turned his domestic weakness into strength by calculating that London would realise the futility of further pressure for concessions. This tactic was tried and tested in diplomacy. It was for instance used in the negotiations on the Atlantic Pact which were going on at the same time. 'There is the tough guy waiting in the back room', one of the participants described its use, 'and this "person" can be the Senate, Cabinet, Parliament, *etcetera*'.⁶⁰

On December 20-21, 1948, Anglo-Norwegian talks about the fishing limits took place in London and apparently, the 'tough guys' were present as well. Fisheries Minister Bull emphasised the supreme importance of fisheries for North Norway and the *Storting's* attitude whereas the British side pointed out that the trawling industry

⁵⁵ Bevin's three Cabinet memoranda all emphasise that aspect. PRO: CAB129/30, CP(48)257, Bevin memorandum, 8.11.1948. CAB129/32, CP(49)9, Bevin memorandum, 19.1.1949. CAB129/35, CP(49)140, Bevin memorandum, 22.6.1949.

⁵⁶ PRO: CAB128/13, CC(48), 48th meeting, 15.11.1948.

⁵⁷ PRO: FO371/71488/N10569/128/30, interdepartmental meeting, 24.9.1948, FO371/71503/N12881/2058/30, Vallat to Donaldson, 2.12.1948.

⁵⁸ PRO: FO371/71488/N12035/128/30, FO to Oslo, 19.11.1948.

⁵⁹ PRO: FO371/71503/N12791/2058/30, Collier to FO, 30.11.1948.

⁶⁰ Reid, *Time of Fear*, 58-59.

were 'extremely vocal'. Moreover, Hankey encouraged the Norwegians to regard the dispute 'not just as an isolated matter entirely by itself but really on a larger background':

Here we are in a desperate situation in Europe really with our whole civilisation in many ways at stake. We are all mixed up with the Marshall Plan. We have been talking about an Atlantic Pact, which three years ago would have seemed to most people quite out of the question, solely on account of the situation in which we find ourselves in. I hope very much that, when this matter is considered by your Parliament, you will consider the larger aspects just as much as the local ones.⁶¹

Foreign Minister Lange would have agreed with Hankey. Bull, on the other hand, would not limit Norway's freedom of manoeuvre by such linkage. In any case, the Norwegians felt that if unity was vital, it would befit Britain to back down.⁶² Surprisingly, the two sides still managed to agree on a platform for further negotiations.⁶³ On January 10-14, enlarged delegations met in London. Again, against the odds they succeeded in hammering out a joint proposal. The 'Yellow Line' came into being, roughly the 'Blue Line' of 1935, with some dents to satisfy British interests.⁶⁴ Only days later, the British Cabinet accepted the proposed *modus vivendi*, subject to the industry's blessing, for although a provisional deal was appreciated, it was not considered worth the possible wrath of the fishermen.⁶⁵ To everyone's great surprise in London, the industry accepted the 'Yellow Line', not only for the time being but as a permanent settlement, arguing that Britain's defence of the three-mile rule would be helped by a custom-made solution for North Norway which would not be applicable elsewhere.⁶⁶ Then it was only left to the *Storting* to bless the agreement. The Norwegians had come to London with instructions from the government not to give way and only offer at the last resort the most minimum concessions, bearing in mind that all agreements would have to gain parliamentary approval.⁶⁷ The delegation felt they had done well and called strongly for acceptance of the 'Yellow Line', if only temporarily.⁶⁸ This last hurdle, however, proved to be insurmountable.

⁶¹ PRO: FO371/71488/N13813/128/30, meetings on Norwegian fishing limits, 20.-21.12.1948.

⁶² RA-NOR: 11001/31.6.5/III, delegation report, 17.1.1949.

⁶³ PRO: FO371/71488/N13813/128/30, FO to Oslo, 24.12.1948.

⁶⁴ RA-NOR: 11001/31.6.5/III, delegation report, 17.1.1949. PRO: FO371/77460/N582/1351/30, meetings on Norwegian fishing limits, 10.-14.1.1949.

⁶⁵ PRO: CAB21/2762, Brook minute, 15.1.1949. CAB128/15, CC(49), 3rd meeting, 17.1.1949.

⁶⁶ PRO: FO371/77460/N487/1351/30, MAF note, 17.1.1949, and Dobson to Etherington-Smith, 17.1.1949.

⁶⁷ Rollag, 'A Special Relationship', 57.

⁶⁸ RA-NOR: 11001/31.6.5/III, delegation report, 17.1.1949.

In Oslo, Ambassador Collier felt that Britain was far too lenient towards Norway. In late January 1949, he requested formal permission to tell Lange straight out that unless the *status quo* from the interwar period were established, British warships would get involved and ‘arrests will be made when possible’.⁶⁹ The Norwegians would back down, Collier’s argument went, if they saw that further aggression on their part would be met in kind and in the Foreign Office, Robin Hankey was at least sometimes caught in two minds. He underlined that an escalation of the conflict would make it harder to solve and that caution was vital when the Norwegians were edging towards accession to the Atlantic Pact.⁷⁰ At the same time, he agreed that the arrests of British trawlers were ‘intolerable’ and he definitely did not wish to be considered an ‘appeaser’, a dirty word in the Foreign Office in those days.⁷¹ But ultimately the prospective Alliance, the new national interest, mattered more.

Meanwhile, the proposed settlement from the London talks was debated in Oslo. On February 1, the government accepted it as a temporary *modus vivendi*.⁷² Parliament was in less conciliatory mood, however—or ‘quite mad’ on fishing issues as the Secretary-General of the Foreign Ministry told Collier.⁷³ The naval authorities also argued that the proposed ‘Yellow Line’ would be practically unobservable and that if it were accepted, ‘Norway would have capitulated of her own will’.⁷⁴ No swift conclusion was reached and in early May, a Norwegian gunboat used gunfire to arrest the first trawler since January, the *Lord Nuffield*. The rather heavy-handed seizure led Bevin to warn Lange that it might be necessary to revise instructions to the British Fishery Protection vessels.⁷⁵ The fishing industry demanded naval protection and an Admiralty official remarked that ‘we really cannot sit idly by while foreign gunboats fire on our fishermen’.⁷⁶ In the House of Commons, MPs on the opposition benches, a Vice-Admiral included, loudly protested the incident and demanded protection for British ships on the high seas.⁷⁷ Yet the diplomats at the Foreign Office kept their cool, led by

⁶⁹ PRO: FO371/77460/N669/1351/30, Collier to Oslo, 21.1.1949.

⁷⁰ PRO: FO371/77459/N320/1351/30, Hankey to Collier, 11.1.1949.

⁷¹ PRO: FO371/77459/N28/1351/30, Hankey minute, 6.1.1949. Also Deighton, *Impossible Peace*, 227-229.

⁷² RA-NOR: Cabinet minutes, 1.2.1949.

⁷³ PRO: FO371/77461/N901/1351/30, Collier to FO, 27.1.1949.

⁷⁴ RA-NOR: 11002/31.6.5./IV, Storheill to Ministry of Defence, Oslo, 10.2.1949.

⁷⁵ PRO: FO371/77462/N4125/1351/30, Bevin to Crowe, 6.5.1949.

⁷⁶ PRO: FO371/77462/N4375/1351/30, Dodds to Figg, 14.5.1949. Also MAF209/176, Armstrong to Figg, 18.5.1949.

⁷⁷ *Hansard*, Vol. 465, cols. 2098-2101, 1.6.1949, and *Times*, 2.6.1949.

the authoritative Legal Adviser Beckett with his arguments on the virtues of restraint due to the preferred referral to the International Court.⁷⁸

Back in Oslo, Lange continued to argue that the 'Yellow Line' was an acceptable compromise.⁷⁹ Time ran out for him, however. On July 14, 1949, the *Storting* formally rejected that compromise, offering instead 'lenient enforcement' in the disputed waters between the 'Blue Line' and the 'Red Line', for the sake of friendly relations with Britain.⁸⁰ This vague suggestion was quickly rejected in London, unless leniency meant fishing as before.⁸¹ When subsequent attempts to reach an agreement with Norway on joint submission to The Hague failed, Britain did so unilaterally, requesting the International Court to rule on the validity of Norway's baseline method.⁸² The Court would deliver its verdict in due course.⁸³ Since the Norwegians continued to maintain the validity of the 'Blue Line', British trawlers risked arrest and heavy fines for fishing inside it, and Britain made do with diplomatic protests when they were caught. In late 1949, four trawlers were charged with poaching and the industry again demanded naval protection or retaliation by an embargo on Norwegian imports.⁸⁴ Nothing was done, however. Britain had rested her case, so to speak.

The course of the Anglo-Norwegian dispute over fishing rights off North Norway in 1948-49 is a small example of the 'internationalisation' of Britain's national interest in the new world order which was emerging after the Second World War. On the one hand, British policy-makers would not give in to Norwegian demands on the widening of the fishing limit, as they felt the quintuple effects of power, pressure, prestige, principle and precedence. On the other hand, however, Norway was a friendly state and a valued asset for the Atlantic Pact. And the threats of naval force were 'pure bluff', as Charles Hambro, the charismatic leader of the country's right-wing opposition party and the most ardent defender of its maritime rights, concluded.⁸⁵

The strategic aspect also helped to preclude American participation in the dispute. In the autumn of 1949, Sir Eric Beckett, keen to isolate Norway and bolster the

⁷⁸ FO371/77462/N4375/1351/30, Etherington-Smith minute, 23.5.1949.

⁷⁹ RA-NOR: Cabinet minutes, 14.6.1949.

⁸⁰ 'Innstilling fra den forsterkede utenriks- og konstitusjonskomité angående forhandlinger med England om Norges fiskerigrense'. *Storting* report no. 15, 1949.

⁸¹ PRO: CAB128/16, CC(49), 46th meeting, 18.7.1949. RA-NOR: 11002/31.6.5/V, British aide-memoire, 19.7.1949.

⁸² Rollag, 'A Special Relationship', 61-62.

⁸³ See section 1.5, 58-59.

⁸⁴ PRO: FO371/77465/N9954/1351/30, BTF to Lacy, 14.11.1949.

⁸⁵ RA-NOR: 11002/31.6.10/I, Hambro speech in *Storting* territorial waters committee, 16.9.1949. Also Trond Gabrielsen, *C. J. Hambro som jeg kjente ham* (Oslo: Dreyers forlag, 1967), 136-137, and Riste, *Norway's Foreign Relations*, 126.

British argument, invited the United States to become a party to the case at The Hague.⁸⁶ Such maritime solidarity seemed perfectly logical: notwithstanding the Truman Declarations, the United States upheld the three-mile limit of territorial waters and did not recognise the baseline method of delimitation. Thus, the British cause was viewed with sympathy in Washington but Beckett's offer was still politely declined. First, it was clear that American fishing interests were not at stake and secondly, the detrimental impression might be created that two great maritime powers were 'lining up against a less powerful member of the family of nations'.⁸⁷ This was not the time for such tactics. Hence, the Anglo-Norwegian dispute demonstrated the disadvantage of more limited options which unavoidably followed unity. In 1948, Clement Attlee had indeed observed that when nations enter an alliance, they lose to a certain extent 'their absolute power to do as they will'.⁸⁸ This disadvantage has always been underlined in the realist theory of international relations, with a vanguard like Morgenthau warning that strong states should 'never allow a weak ally to make decisions for you':

They lose their freedom of action by identifying their own national interests completely with those of the weak ally. Secure in the support of its powerful friend, the weak ally can choose the objectives and methods of its foreign policy to suit itself. The powerful nation then finds that it must support interests not its own...⁸⁹

In early 1950, a year after NATO had come into being, a Norwegian observer of the maritime dispute rightly remarked that a century before it might undoubtedly have led to 'some show of force'.⁹⁰ But now the amalgamation of Britain's and Norway's main national interest, the defence of the state against the common enemy in the Cold War, meant that London would not risk collision for a lesser cause, despite tough words at the beginning. Thus, Norway benefited from the new situation and played on Britain's forbearance. A plausible preliminary assumption would then be, firstly, that the widening of the British national interest by membership in an alliance was making it more difficult to defend all aspects of it; and secondly, that if a traditional national interest was to be defended, it could only be done by traditional means.

⁸⁶ NARA: RG59/857.0145/10-2049, Willis to Acheson, 20.10.1949.

⁸⁷ NARA: RG59/857.0145/12-2049, Washington to London, 2.12.1949.

⁸⁸ C.M. Woodhouse, *British Foreign Policy Since the Second World War* (London: Hutchinson, 1961), 93.

⁸⁹ Morgenthau, *Politics*, 565. Also Kegley and Wittkopf, *World Politics*, 464-466, and Roger V. Dingman, 'Theories of, and Approaches to, Alliance Politics', in Paul Gordon Lauren (ed.), *Diplomacy. New Approaches in History, Theory, and Policy* (New York: The Free Press, 1979), 245-266.

⁹⁰ *New Statesman*, 14.1.1950 (letter to editor).

1.3. 'One of Us'? Iceland Between Moscow, Washington, Whitehall and Humberside, 1948-51

The origins of Britain's dispute with Iceland over fishing limits after the Second World War were in some ways similar to the turn of events in the Norwegian case. The locals resented British trawling and the risk of overfishing. To make matters even worse, at least potentially, the Icelandic grounds were more important to the British trawling industry than the waters off Norway, and fish was Iceland's overwhelming source of foreign income, accounting for over 90% of the country's exports.⁹¹ Furthermore, strategic considerations got more entangled with fish in Iceland than in Norway so, in short, the stakes were much higher 'up Iceland way'.⁹²

In late 1944, the 'Innovation regime' (a coalition of the Conservative Party, the Social Democratic Party and the pro-Moscow Socialist Unity Party) was formed in Iceland. It aimed to extend the fishery limits and considered the three-mile treaty from 1901 to be a relic from the country's colonial past. Two years later, a scientific advisory body, the International Council for the Exploration of the Sea, recommended that the rich breeding grounds in Faxa-Bay be closed to all trawling for 15 years. In the same year, disputes over foreign policy led to the downfall of the 'Innovation regime' and after a prolonged crisis, a new coalition of all parties except the Socialists was formed in Reykjavík. During its tenure, on April 5 1948, Iceland's Parliament, the *Althing*, unanimously promulgated the so-called Conservation Law on the right to regulate fisheries above Iceland's continental shelf, stretching dozens of miles out to sea.⁹³

In the next two years, there followed a series of limited measures to implement the parliamentary will. A cautious policy was partly applied because the Icelanders sincerely wanted to reach an amicable settlement, and partly because they calculated that a unilateral extension at one swoop would not work.⁹⁴ To begin with, the Icelandic authorities wanted to convene a conference to discuss a temporary cessation of trawling in Faxa-Bay. The gathering was to be held in August 1949 but had to be cancelled at the last minute as Britain declared that preservation measures outside national jurisdiction would not be accepted.⁹⁵

⁹¹ Thór, *British Trawlers*, 256.

⁹² A common expression by the trawlermen. Robinson interview, 5.5.2001.

⁹³ For a summary, see Ólafsson, *Saga*, 22-54.

⁹⁴ Hans G. Andersen, *Greinargerð um Landhelgismálid* (Reykjavík: Gutenberg, 1948), 53-62. National Archives, Copenhagen [henceforward RA-DEN]: 63.D.22.a/B, Brun to Copenhagen, 30.3.1948.

⁹⁵ PRO: MAF41/1318, Dunn minute, 26.7.1949. Jónsson, *Friends*, 51-52.

This was a short-sighted view. The proposed conference was a fine example of a missed chance to shape events. An international agreement on the temporary closure of the breeding grounds would not necessarily have prejudiced Britain's stand on territorial waters and it might have demonstrated Britain's willingness to tackle actively the danger of overfishing.⁹⁶ Denmark, for instance, was prepared to accept the experiment, while underlining that it would not affect her adherence to the three-mile limit.⁹⁷ And far from killing the issue, the British attitude only increased the Icelanders' conviction that the way forward was through unilateral action.⁹⁸ In October 1949, they went one step further and denounced the 1901 treaty with two years' notice, as stipulated in its terms, thereby removing a legal stumbling block to an extension and hoping to reach an agreement on widened limits in the meantime. In April 1950, the fishing limits off the north coast of Iceland were extended to four miles, drawn the 'Norwegian way' from baselines across fjords and bays. Trawling was banned inside the new limit, both by Icelanders and foreigners, with the exception that the 1901 treaty would apply to British subjects until its expiry in October 1951.⁹⁹

While the Icelandic scheme obviously contradicted British interests, there was relative ease in Whitehall as long as nothing *actually* changed. 'We can only continue to wait', a member of the Foreign Office wrote after the denunciation of the 1901 treaty,¹⁰⁰ and when John Dee Greenway, the Minister in Reykjavík, apologised for the shortness of his annual report for 1950, the year of the extension off the north coast, a colleague was quick to forgive him by noting that 'nothing much happens in Iceland'.¹⁰¹ This was in line with the 'pragmatic' streak in British foreign policy which preferred reaction to pre-emptive planning. From 1948, however, the Icelanders were following a relatively well thought-out action plan and Britain suffered from the lack of a counterstrategy. Almost all concerned in London knew that the Icelanders would not give up in their quest for extended fishing limits. It was also clear, firstly, that it would be undesirable and perhaps useless to try to force them to do so, and secondly, that Britain could not accept Icelandic aims. Yet, little if anything was done about this dilemma.

⁹⁶ The view that the three-mile limit would not be endangered was indeed expressed at the Foreign Office. See PRO: FO371/71480/N13243/4877/27, Davidson minute, 14.12.1948.

⁹⁷ RA-DEN: 63.B.20, Fishing Ministry to Foreign Ministry, 15.7.1949, and Foreign Ministry to Fishing Ministry, 18.7.1949.

⁹⁸ Parliamentary Archives, Reykjavík [henceforward ALTH]: Foreign Affairs Committee, 4th meeting, 13.4.1950.

⁹⁹ Jónsson, *Friends*, 54-58.

¹⁰⁰ PRO: FO371/77432/N9182/1359/27, FO minute, 27.10.1949.

¹⁰¹ PRO: FO371/94643/NL1011/2, Whitwell minute, 5.3.1951.

The great strains on personnel in the Foreign Office contributed to this tendency to wait for events rather than influence them. Officials had little time to reflect on the future, not to mention when only the isolated Iceland was concerned.¹⁰² Besides, on the relatively rare occasions when Icelandic matters were considered, the British side simply could not find a reason for a change in the *status quo*.¹⁰³ The principle of the narrowest territorial waters and fishing limits was naturally just as important for Britain around Iceland as it was off the coast of Norway, and the perceived danger of precedence was also alike, if only because an acceptance of Icelandic intentions might impair the British case against Norway.¹⁰⁴ Moreover, the trawling industry maintained that any deviation from the three-mile limit would virtually put an end to British trawling off Iceland.¹⁰⁵ In 1946-50, around one quarter of all catches in distant waters came from those grounds so the consequences, if true, would be very painful.¹⁰⁶

Simultaneously, the trawling industry intensified its protests against landings of iced fish from foreign trawlers in Hull and Grimsby. The Icelanders were most active, undeterred by a 10% levy on their catches and flag discrimination which meant that they often had to wait in port until all British vessels had been unloaded.¹⁰⁷ On Humberside, the owners and crews disliked this competition which could drive down prices on the market. Repeatedly, therefore, they called for drastic reductions or a complete ban on the import of foreign caught fish.¹⁰⁸ And they could not but draw the logical conclusion that access to British markets should be used as a lever in the effort to resist Iceland's moves for wider fishing limits. In September 1948, when the *Althing* had passed the Conservation Law, the trawler owners declared that in case of actual extensions off Iceland they expected the British government 'to take the strongest possible action', either by providing naval protection or by banning all landings of fish from Icelandic trawlers in British ports.¹⁰⁹ By 1951, when the three-mile treaty from 1901 was about to expire, their attitude had only hardened, so much so that if and when the Icelanders put

¹⁰² On this in general, see Ivone Kirkpatrick, *Inner Circle* (London: Macmillan, 1959), 259. Also R.G.S. Brown and D.R. Steel, *The Administrative Process in Britain* (London: Methuen, 2nd ed., 1979), 207-208.

¹⁰³ PRO: FO962/16, Hankey to Baxter, 6.11.1948.

¹⁰⁴ PRO: DO35/3352, Abercrombie to CRO, 9.2.1950. ThÍ-URN: 1996-B/63-1 15.D.001.1, Greenway to Benediktsson, 23.5.1951.

¹⁰⁵ PRO: MAF209/116, Croft-Baker and Hudson to Dunn, 9.9.1948. FO371/94655/NL1351/8, Etherington-Smith minute, 18.4.1951.

¹⁰⁶ Thór, *British Trawlers*, 130-139.

¹⁰⁷ For an overview, see Sveinn Sigurdsson, *Sókn á sæ og stord* (Reykjavík: Bókastöð Eimreidarinnar, 1960), 199-205.

¹⁰⁸ PRO: MAF209/68: NJIC minutes, 19.5.1949, 18.5.1950 and 24.5.1951. Representatives from trawler-owners and skippers and mates sat on the council. Also papers of Carl Ross, North East Lincolnshire Archives, Grimsby: 419/6/2, *Associated Fisheries* annual report at general meeting, 23.5.1950, 10.

¹⁰⁹ PRO: MAF209/116, Croft-Baker and Hudson to Dunn, 9.9.1948. ThÍ-LON: 1990-B/126 47.B.4, Reykjavík to London, 15.9.1948.

their words on fishing limits into deeds, the industry threatened to impose such a ban itself, regardless of the government's opinion.¹¹⁰

In London, officials advised the industry that, for strategic reasons, the application of the Royal Navy could be 'dismissed completely'.¹¹¹ As for the idea of a ban on Icelandic landings, however, opinions diverged. The Ministry of Agriculture and Fisheries (MAF) was willing to consider such pressure, should the Icelanders prove to be immune to diplomatic persuasion: 'In the last resort, it may be necessary—in spite of all the arguments against it—to stop Icelandic imports for a time, until Iceland agrees to act more reasonably'.¹¹² The Foreign Office agreed that a ban of this kind would obviously be a powerful weapon in dealings with the Icelanders. On the other hand, it would probably go against undertakings towards abolition of trade barriers which Britain had accepted in the Organisation for European Economic Co-operation (OEEC), established in connection with the Marshall Plan in 1948.¹¹³ The Ministry of Food was also against all impediments on foreign imports and the Board of Trade noted that a ban would run counter to a trade treaty with Iceland.¹¹⁴ And most importantly, Britain's welfare involved much more than the wishes of purely British subjects and activities. The altruistic dimension of the 'national interest' came to the fore, as did the restraints of alliance. In the words of one official in Whitehall in 1948, Iceland had become 'one of us'.¹¹⁵

A ban on Icelandic landings would definitely hurt. Having been one of Europe's poorest nation's before the Second World War, the Icelanders amassed comparatively great wealth during the hostilities through the sale of fish to the Allies and services to their occupation forces. The 'Innovation regime' of 1944-47 decided to build freezing plants, processing factories and fishing vessels, including 30 trawlers in Britain. The increased catch would be sold abroad and the British market was by far the largest, receiving around third of all Icelandic exports in 1946-50.¹¹⁶ The expansion was much too quick and ambitious, however. The fast money which the Icelanders collected during the war disappeared even quicker than it arrived, through inflation, wage rises, public desire for

¹¹⁰ PRO: MAF209/250, MAF note, 11.5.1951.

¹¹¹ PRO: MAF209/250, MAF note, 11.5.1951. MAF209/753, MAF note, 19.11.1951.

¹¹² PRO: MAF209/753, Johns to Wilson, 27.11.1951.

¹¹³ PRO: FO371/94656/NL1351/24, FO minutes, 13.7.1951 and 20.7.1951.

¹¹⁴ PRO: MAF209/747, Webb to Williams, 15.2.1951. FO371/94658/NL1351/59, Homan to Armstrong, 13.12.1951.

¹¹⁵ Bank of England Archives, London [henceforward BEA]: OV35/6, Burgess to Dennis, 20.9.1948.

¹¹⁶ Thorsteinsson, *Utanríkishjónusta* I, 440.

consumer goods, a faulty exchange rate and a fair number of misguided investments.¹¹⁷ ‘Iceland is just about bankrupt’, a Board of Trade official noted in the middle of 1947.¹¹⁸ A year later, R.W.B. Clarke wrote at the Treasury (admittedly in an off-the-cuff manner) that a permanent solution to the country’s economic problems might have to entail a currency union, ‘i.e. the inclusion of Iceland in the British Empire’.¹¹⁹ Then, however, Cold War came and saved the Icelanders.

Membership of NATO had not obliterated the perceived danger of communist ascendancy in Iceland and in matters of fishing and economy, pro-Western politicians in Reykjavík could play the ‘communist card’, both from sincere conviction that destitution would only benefit the Soviets, but also by cunningly emphasising the West’s self-interest in aiding the Icelanders. When pressing for increased access to British markets and an end to discrimination in the ports, Fisheries Minister Ólafur Thors, the influential and charismatic chairman of the Conservative Party, pointedly let Ernest Bevin know that ‘if United Kingdom action with regard to Icelandic fish were now to lead to heavy unemployment among Iceland fishermen and fish processors this would lend great force to Communist criticism’.¹²⁰ In the summer of 1951, when Iceland had been a member of NATO for two years and had just accepted the reinstatement of American troops on the island (due to the Korean War and heightened tension in the world), Legal Adviser Beckett summed up the situation:

I have always understood that the refusal to allow Iceland to sell her fish in the United Kingdom is a very powerful stick against Iceland, but HMG would have to consider seriously whether to use it, because it might cause such ill-feeling in Iceland that the Icelanders would become obstinate and almost be driven into the Soviet camp instead of into the camp of the North Atlantic Treaty.¹²¹

Geopolitics ensured that British inaction was secure, at least until the necessary reconsideration of policy if and when Icelandic plans for wider fishing limits were in fact enforced. The realist admonition against alliances, which was mentioned in connection with the Anglo-Norwegian dispute, is even more valid here. By way of a vital common interest, the small ally tied the hands of the strong state.

¹¹⁷ Skjalasafn Sedlabanka Íslands, Reykjavík [henceforward SSÍ]. IMF: Eiríksson report, 28.10.1947, and Kielland to Parsons, 15.10.1948. SSÍ-IBRD: Staff Loan Committee memorandum, 11.10.1950. Also Jakob F. Ásgeisson, *Thjóð í hafti* (Reykjavík: Almenna bókafélagid, 1988), 161-167.

¹¹⁸ PRO: T236/2039, Burgess to Workman, 7.8.1947. It must be added, though, that these were temporary difficulties. From a long-term perspective, the economic situation was not so bleak. See Guðmundur Jónsson, ‘Hagþróun og hagvöxtur á Íslandi 1914-1960’, in Jónas H. Haralz (ed.), *Frá kreppu til viddreisnar* (Reykjavík: Hid íslenska bókmenntafélag, 2002), 35-39.

¹¹⁹ BEA: OV35/6, Clarke to Playfair, 18.11.1948.

¹²⁰ PRO: FO800/469, Younger minute, 13.4.1950. Foreign Minister Benediksson spoke similarly to Bevin. FO371/86522/NL1351/14, FO to Reykjavík (draft, not sent), 19.5.1950.

¹²¹ PRO: FO371/94656/NL1351/24, Beckett minute, 19.7.1951.

In May 1951, when American soldiers reappeared on Icelandic soil, Sharman Wright, one of the Bank of England officials who dealt with Iceland, wrote that from now on her inhabitants would not rely on Britain for protection, as they had usually done for the last couple of centuries, but rather they would live in 'the shadow of the Superfortress'.¹²² Naturally, the shift also showed in economic terms. In 1948-53, the Icelanders received proportionally a bigger share of American Marshall aid than any other nation.¹²³

The concern for the well-being of the Icelandic nation had to affect the American position on the moves for wider fishing limits. It may be recalled that, despite the Truman Declarations of 1945, the United States was a convinced 'three-miler' and in 1948 and 1949, Wilbert Chapman, assistant to the Under-Secretary in Charge of Fisheries and Wildlife, cautioned the Icelanders against unilateral extensions.¹²⁴ The warnings were low-key, however, and clearly ineffective as Iceland went ahead with the partial extension off the north coast in 1950. Somewhat predictably, the State Department, on Chapman's advice, asked Edward Lawson, the American Minister in Reykjavík, to register formal objections to the move.¹²⁵ While compliance was considered a foregone conclusion,¹²⁶ the influence of a sympathetic envoy now became clear. Having listened to Lawson's deliverance of a protest note, Foreign Minister Benediktsson expressed dismay over such incomprehension of Icelandic politics, since this intimidation would only cause an outcry and directly benefit the Socialists. Lawson had to follow his instructions but then 'suspended' the note, as he wholeheartedly agreed with Benediktsson's estimate.¹²⁷ Washington concurred, after a similar appeal from the Icelandic Minister, Thor Thors.¹²⁸

It is clear that American 'appeasement' encouraged the Icelanders. But what would have happened if the United States had firmly opposed them? Would they, reliant as they were on Western goodwill, have taken on an alliance of the world's greatest maritime powers? British officials did try to impress the Americans that pressure from Washington would help to 'convince the Icelanders of the unreasonableness of their

¹²² BEA: OV35/6, Wright report, 8.5.1951.

¹²³ Gunnar Á. Gunnarsson, 'Ísland og Marshalláætlunin 1948-1953', *Saga*, Vol. 34, 1996, 85-130, and Ingimundarson, *Struggle*, 63.

¹²⁴ NARA/RG59, Records of the Office of British Commonwealth and Northern European Affairs, 1941-1953. Subject Files, 1941-53. Box 15, Lot 54D224, Chapman to Cunningham, 30.9.1948. Also Thjóðskjalasafn Íslands [henceforward *ThÍ*], WASH: 1990-B/228/52.E.3.1, Thors to Reykjavík, 2.6.1950.

¹²⁵ NARA: RG59/740B.022/4-2850, Washington to Lawson, 22.5.1950.

¹²⁶ As indicated, for instance, by the American Embassy in Oslo. Foreign Ministry Archives, Oslo [henceforward *UD*]: 31.11/60/II, Colban minute, 17.6.1950.

¹²⁷ *Foreign Relations of the United States* [henceforward *FRUS*] 1951 IV, 507, Lawson to Acheson, 1.6.1950.

¹²⁸ *ThÍ*-WASH:1990-B/258/52.E.3.1, Thors to Reykjavík, 2.6.1950.

new regulations'.¹²⁹ Such coercion, however, would have been useful as propaganda for the Socialists. Therefore, the story of how the United States decided not to protest Icelandic moves for wider fishing limits in 1948-51 demonstrates again the increased power which new strategic realities offered the rulers in Reykjavík. The time had still not arrived when officials in Washington grumbled that the Icelanders were 'blackmailing' the United States but this conclusion would be reached, as will be seen.¹³⁰ And while Britain was unhappy about the American weakness on the three-mile limit, a contradictory policy which damaged the aim of keeping the Icelanders within bounds also emanated from Whitehall itself. In effect, the British were feeding the hand that bit them.

In early 1948, the Icelanders were in such dire straits that they had to seek loans in London to buy oil and other commodities to run the fishing fleet. Their plight was obvious and one of the British officials involved felt that Iceland should be treated as 'a test case' for European co-operation and modernisation: 'It is impossible to allow 130,000 people to starve'.¹³¹ Moreover, in October, half a year after the *Althing's* promulgation on the Conservation Law in direct contravention of British maritime interests, the government in Reykjavík signed contracts to build ten new trawlers in Britain. Credit was offered in the City and the necessary underwriting by British authorities was confirmed in July 1949. The government of Iceland became the first foreign regime to receive a British loan after the Second World War.¹³² Debates about this assistance highlight the differences between the moralist and the realist approaches to the advancement of national interests. In the House of Commons, the Conservative William Shepherd pointed out that while the Icelanders would clearly want to sell their catch from their new vessels on Humberside, British trawlers could supply all the fish that was needed for domestic consumption. 'I should have thought', Economic Secretary Douglas Jay replied, 'that the modernisation of the fishing fleet of a country which is a member both of the sterling area and of OEEC was a very desirable object'. Shepherd shot back, however: 'Would not the hon. Gentleman also think that the preservation of the livelihood of our own people was equally important?'¹³³

¹²⁹ PRO: FO371/94656/NL1351/24, FO to Washington, 3.9.1951.

¹³⁰ See section 3.1, 134.

¹³¹ PRO: T236/2040, Treasury minute, 7.8.1948. Also BT11/2898, Overseas Negotiations Committee meeting, 8.2.1949.

¹³² *Financial Times*, 8.7.1949.

¹³³ *Hansard*, Vol. 467, col. 2658, 28.7.1949. The following summer, a similar argument erupted between the Chancellor of the Exchequer, Sir Stafford Cripps, and Robert Boothby who criticised the policy of

Arguably, the case for caring first for the people of Britain could be strengthened further. P.D.H. Dunn, Fisheries Secretary at MAF, repeatedly mentioned his anger over alleged Icelandic cowardice in the spring of 1941 when the authorities in Reykjavík declared—after German bombing of a trawler bound for Britain—that no more fish would be sent from Iceland, and that they were only persuaded to continue fishing for the common cause because of the high prices which London had to offer.¹³⁴ ‘Assistance given to people who act in such a manner is assistance wasted’, wrote Dunn. ‘They are wholly unreliable as friends and there is no end to their greed’.¹³⁵ The Icelanders, for their part, felt that for Dunn, ‘Britain and her intentions were the only unshakeable objects in the whole wide world’.¹³⁶ They also argued that they had done their fair share for the allied war effort, having lost proportionally as many lives as the United States, one in five trawlers and almost half of the merchant fleet.¹³⁷ Indeed, one of the bankers in London who favoured the award of the trawler loan to Iceland, emphasised that the Icelanders had been important allies during the war and Britain invariably wanted to ‘help young states, constructing an independent existence’.¹³⁸

In other words, the Icelanders had to be treated as friends, as ‘one of us’. Not only should they be helped to build trawlers which would compete with the British industry on Humberside, but some of their products would also be purchased at whatever cost. In February 1949, a trade delegation from Reykjavík began negotiations in London with the Ministry of Food over the sale of frozen fish, herring meal and herring oil. The Icelanders wanted prices above world-market rates, much higher than the British negotiating team was prepared to accept.¹³⁹ They were ‘hinting darkly at sales of fish to Russia’, however, and back in Iceland the Socialists could, to use the words of one British official, ‘use our supposedly heartless behaviour as an argument against the view that the interests of Iceland are inseparably bound up with those of the UK’.¹⁴⁰ Late in the day, the leader of the Icelandic delegation even threatened to resign and report to his Ministers who were in Washington to discuss the formation of the Atlantic Alliance. ‘The implication may be’, as Robin Hankey was told, ‘that these Ministers will tell the Americans that they cannot join the Pact while the UK is

using ‘British money in order to smash the British fishing industry’. *Hansard*, Vol. 475, col. 1000, 16.5.1950.

¹³⁴ PRO: MAF209/230, Dunn to Levine, 15.11.1949.

¹³⁵ PRO: MAF209/230, Dunn note, 7.1.1950. Also T236/3880, MAF/SHD note, 23.1.1950.

¹³⁶ THÍ-LON: 1990-B/199-43.P.5.I, Pétur Benediktsson to Bjarni Benediktsson, 27.11.1948.

¹³⁷ Foreign Minister Benediktsson pointed this out, for instance, in a discussion with Bevin. PRO: MAF209/747, Aide-memoire, 19.5.1950.

¹³⁸ THÍ-LON: 1990-B/199/43.P.5.I, Thorvardsson to Reykjavík, 14.1.1949.

¹³⁹ E.g. PRO: BT11/2898, Levine note, 16.2.1949.

¹⁴⁰ PRO: FO371/77427/N1805/1151/27, Davidson minutes, 22.2.1949 and 12.3.1949.

disrupting their whole economy by driving hard bargains over frozen fish'.¹⁴¹ Thus, the Foreign Office stressed the importance of 'political factors' throughout the negotiations and in the end Ernest Bevin himself intervened, saying that he could not 'sanction endangering the Atlantic Pact for the sake of a few hundred thousand pounds'.¹⁴² In April 1949, the Icelanders secured a favourable contract with Britain.¹⁴³

British policy—or rather non-policy—towards the Icelandic programme for an extension of fishing and fishing jurisdiction in 1948-1951 was uncoordinated and contradictory. On the one hand, the wishes for wider limits were rejected but on the other the Icelanders were helped to modernise their fishing industry which would have to be accompanied by increased sales to Britain and control over the fishing grounds. Never did a thorough discussion take place on an 'Iceland policy'. Only rarely did British officials acknowledge the desirability of one,¹⁴⁴ and then the contrasting views of the various departments appeared. The Foreign Office leaned on one side or the other but mostly preferred to let events take their course. Ideally, things should just stay as they were.

The upshot—an economic benevolence towards Iceland—was more *Realpolitik* than philanthropy. The apparent amalgamation of the supreme national interests of Britain and Iceland explained the offer of trawler loans and other economic assistance. It may be futile to wonder much about the might-have-beens of history, but had there been no Cold War, the Icelanders would certainly not have found themselves in such a good bargaining position. To compare, in the 1930s, when their economic difficulties were even worse, they received noticeably less sympathy in London. In 1934, a diplomat on a fact-finding mission to Iceland advised against all loans for construction in the country and three years later, when the coast guard had been fairly forthright in charging British trawlers with illegal fishing, Laurence Collier wrote in the Northern Department that 'the Icelandic govt. do not deserve any help from us'.¹⁴⁵ Even as late as at the end of the Second World War, when the hostility between East and West had not erupted, the British Minister in Reykjavík informed the American Legation there that the Foreign Office had decided not to have its policy towards Iceland governed by the

¹⁴¹ PRO: FO371/77428/N2687/1151/27, Davidson minute, 19.3.1949.

¹⁴² BEA: OV35/8, Siepmann note, 4.3.1949. PRO: FO371/77428/N2515/1151/27, Jackling minute, 4.3.1949.

¹⁴³ Thorsteinsson, *Utanríkistjónusta* I, 440.

¹⁴⁴ E.g. PRO: MAF209/230, Dennis to Etherington-Smith, 3.8.1949, and Dunn to Aglen, 10.8.1949.

¹⁴⁵ PRO: FO371/18262/N5214/27/15, Gable to Picton, 28.8.1934. FO371/21072/N4703/9/15, Collier to Secretary to Board of Trade, 30.9.1937. Also Lýður Björnsson, 'Í lánsfjárleit 1937-1939', *Saga*, Vol. 28, 1990, 63-85. Ásgeirsson, *Thjód í hafti*, 24-37.

‘Russian bogey’. Although the Icelanders had managed to sell fish to Britain at high prices during the war, this would be bound to change. In the future they would be ‘regarded in the nature of a competitor ... and certain economic dislocation might result’.¹⁴⁶ But then came the Cold War, ostensibly saving Iceland from poverty and powerlessness.

The rise of the country’s welfare in the definition of Britain’s ‘national interest’ was of course in direct opposition to the more narrow interest of the trawler owners, skippers and mates on Humberside. They had to accept the construction of Icelandic fishing vessels with active aid from Britain. But they would not stay silent if—to add insult to injury—they were driven off their traditional grounds in the waters off Iceland.¹⁴⁷ In Grimsby and Hull, geopolitics did not matter as much as fishing, and events were to show that this order of priority was to a surprising degree allowed to determine British policy. Before that episode, however, Britain faced a more traditional test of strength elsewhere on the ‘high seas’.

¹⁴⁶ NARA: RG59/859A.00/4-2445, Spalding to Washington, 24.4.1945.

¹⁴⁷ *Yorkshire Post*, 31.3.1951. *Grimsby Evening Telegraph*, 10.4.1951.



1.4. Might Makes Right. Impotence off the Soviet Coast, 1948-51

In theory, the application of ‘gunboat diplomacy’ to protect the national interest of narrow territorial waters was always possible off Norway and Iceland. The situation was entirely different, however, in another disputed part of the oceans where trawling and the traditional three-mile limit also came under threat in the late 1940s. In the Barents Sea off the Kola-peninsula in the Soviet Union, Britain found herself in the unfamiliar position of utter impotence.

Before the Second World War, British trawlers worked the fishing grounds in the Barents Sea all year round, catching high quality plaice in particular. Although the Anglo-Soviet agreement of 1930 ought to have secured satisfactory access to the fishing grounds up to three miles from land,¹⁴⁸ Soviet leaders had not renounced their claim to a 12-mile limit and after the war it was not entirely clear if they still considered the pre-war treaty valid.¹⁴⁹ Some areas outside three miles were closed for military practises, in direct contravention of British views, and the Soviet authorities could easily arrest and confiscate trawlers on the pretence of illegal fishing. In the era of heightened tension between East and West in the summer of 1948, the British trawler owners became so concerned that they might lose their vessels through such injustice that they decided to refrain temporarily from fishing in the Barents Sea.¹⁵⁰

Before the owners took this decision, they called for compensation from the government in case of Soviet molestation, or ‘a display of naval force’ in the Barents Sea.¹⁵¹ Financial guarantees were always discarded in London but, apparently, naval presence was not out of the question. It was undesirable, wrote Robin Hankey in the Foreign Office, that ‘we should refrain from showing the flag in a part of the high seas where we have a perfect right to go out of fear of incidents which the Russians might create’.¹⁵² Furthermore, informants on the trawlers produced useful intelligence, taking photographs of Soviet warships and noting their movements.¹⁵³ Nonetheless, the reasons for inaction outweighed the advantages of resolution. Confrontation between

¹⁴⁸ See introduction, 15.

¹⁴⁹ PRO: MAF209/937, Lacy minute, 26.4.1951.

¹⁵⁰ *Times*, 30.7.1948. PRO: MAF209/35, SOFP minute, 26.8.1948.

¹⁵¹ PRO: MAF 209/35, unsigned note, 3.9.1948.

¹⁵² PRO: FO371/71712/N10161/8337/38, Hankey minute, 11.9.1948.

¹⁵³ PRO: FO371/71712/N10161/8337/38, Hankey minute, 11.9.1948. Also ‘Revealed: Spy-Log of the “Lancer”. Annotated Version’, <<http://www.arcticcorsair.f9.co.uk/lancer3.html>>, accessed 19.8.2002, and Richard J. Aldrich, *The Hidden Hand. Britain, America and Cold War Secret Intelligence* (London: John Murray, 2000), 523. Aldrich locates the start of intelligence gathering by trawlers in 1952-53. Both Hankey’s minute and the *Lancer* ‘spy-log’ show that the effort had begun by 1948, at least.

Soviet warships and Royal Navy Fishery Protection vessels could only lead to immediate British surrender or escalation with unforeseen consequences.¹⁵⁴ That would be a high and irrational price to pay for plaice off the Soviet coast, and while a more important world-wide principle of territorial waters was involved, it would certainly be defended better by alleviation than intensification.

Temporarily, the problem seemed to disappear. The trawler owners felt it safe to resume fishing and the winter of 1948-49 passed without incident. Still, the grey area between three miles and 12 remained uncertain and in the spring of 1949, T.S. Leach, the Chief Inspector of Fisheries, observed that if British trawlers wanted to avoid the risk of arrest, they should stay outside the 12-mile limit. Informally, the Foreign Office seconded this opinion, for although Britain had every right to fish close to the shore in many areas, in line with the 1930 treaty, the hostility and unpredictability of the Soviet authorities would have to be taken into account.¹⁵⁵ Moreover, incidents would establish British impotence in the area, thus undermining the doctrine of the three-mile limit. In other words, the Foreign Office and MAF wanted British trawlers to stay outside 12 miles and thus avoid arrests which would demonstrate the actual situation. Then they could claim that the absence of incidents confirmed Britain's non-recognition of the Soviet claim for 12-mile territorial waters!¹⁵⁶ Accordingly, the trawler owners were warned about the dangers of fishing inside the Soviet limit and did not like what they heard. They did not instruct their skippers to stay out, quoting the 1930 treaty and Britain's longstanding commitment to the three-mile limit.¹⁵⁷ Thus, Whitehall's paradoxical policy was never likely to last, depending as it did on compliance both from impetuous trawlermen and the Soviet authorities, suspicious of British activities in the Barents Sea.¹⁵⁸

In May 1950, matters came to a head. The trawler *Etruria* was arrested near the mouth of the White Sea and fined for poaching. The incident raised strong emotions in Britain. In Parliament, Anthony Eden deplored Moscow's 'extremely high-handed action' and a backbencher even enquired whether 'this armed boarding of one of our vessels' did not call for NATO intervention!¹⁵⁹ In September, another trawler was arrested and the

¹⁵⁴ PRO: FO371/71712/N10161/8337/38, Hankey minute, 11.9.1948.

¹⁵⁵ PRO: MAF209/35, Leach minutes, 11.5.1949 and 22.6.1949.

¹⁵⁶ PRO: MAF209/35, Leach minutes, 11.5.1949 and 22.6.1949.

¹⁵⁷ PRO: MAF209/35, Armstrong minute, 5.7.1949.

¹⁵⁸ For Soviet suspicions, see *OffMSG* <<http://www.offmsg.connectfree.co.uk/offshelf/offrames.htm>>, accessed 10.5.2002. Bakhmutov report, October 1950.

¹⁵⁹ *Hansard*, Vol. 475, cols. 36-38, 8.5.1950.

following month a third one was caught. The policy of no losses through no contest was in serious jeopardy. The Fishery Protection vessel HMS *Mariner* sailed north with clear instructions; not to protect British trawlers in the disputed waters but to make sure that they did not fish there for the time being.¹⁶⁰ Still, yet another trawler was apprehended in November.

The setbacks of repeated arrests made more difficult the search for fish—and also intelligence for that matter. Even so, after the spate of arrests in late 1950, the fishery officials in Whitehall argued that instead of warning the trawler owners about the dangers of entering Soviet no-go areas outside three miles, they should secretly be *ordered* to stay away from them. Otherwise, the right to fish in some areas, in line with the 1930 treaty, might be lost. The Foreign Office, on the other hand, was more aware that a directive of this kind would contradict the British policy of narrow territorial waters and as one of its officials noted, ‘this might be used against us in the Norwegian fisheries case at The Hague and in other international disputes’.¹⁶¹ The danger of an adverse precedent existed. But what could be done? The only option was a continuance of keeping out instead of being kicked out, hoping that the retreat would go unnoticed.

Yet the doctrine of the freedom of the high seas was to be undermined still further. In the spring of 1951, the Soviet Union ordered Britain’s fishery protection vessels to stay completely outside its ‘12-mile territorial waters’.¹⁶² Again, the Fisheries Department felt that Soviet demands should be met, so as not to jeopardise the benefits of the 1930 treaty. The Foreign Office concurred, ‘based on reasons of pure expediency’.¹⁶³ Pragmatism, however, could conflict with prestige and principle. The Admiralty was unwilling to admit complete surrender in the Barents Sea and rejected the suggestion from the Fisheries Department and Northern Department that the Royal Navy’s fishery protection vessels should under no circumstances cross the Soviet 12-mile limit. The compromise which all the departments agreed upon read that ‘normally’ the ships should only venture inside in case of damage or wreck of British trawlers but not in order to intervene in the process of arrest by Soviet warships.¹⁶⁴ From 1951, the Navy’s vessels rarely went to the Barents Sea and almost always stayed obligingly outside the 12-mile limit.¹⁶⁵ It is unclear why Moscow did not go one step further and

¹⁶⁰ PRO: FO371/86804/NS1352/53, Etherington-Smith minute, 24.10.1950.

¹⁶¹ PRO: FO371/86805/NS1352/85, Etherington-Smith minute, undated but written between 18.12.1950 and 21.12.1950.

¹⁶² PRO: FO371/94879/NS1352/14, Admiralty to HMS *Truelove*, 21.4.1951.

¹⁶³ PRO: FO371/94879/NS1352/20, Etherington-Smith minute, 5.5.1951. Also FO371/94880/NS1352/21, interdepartmental meeting, 2.5.1951.

¹⁶⁴ PRO: FO371/94880/NS1352/27, Hanna to Etherington-Smith, 14.7.1951.

¹⁶⁵ PRO: FO371/111738/NS1351/28, Rouse to Jellicoe, 23.3.1954.

denounce the 1930 treaty. That action was to be taken in 1953 but then reversed and British officials suggested that a willingness to keep relations with the West on minor matters as friendly as possible explained Soviet goodwill.¹⁶⁶ The same factor was probably at work a few years before.

Might made right in the Barents Sea. Up there, the world was working according to the realist theory on strength in international relations. The Soviet adversary was a hostile world power, not a weak ally, and Britain could not but accept Moscow's infringements on her traditional interests. So rather than showing enlightened pragmatism in a liberal manner, as was arguably the case in the dispute with Norway, and aiding Iceland's fishing industry while worrying little about her ambitions about territorial waters, in the Soviet case British policy-makers were simply faced with circumstances beyond their control. What would have happened if the roles had been reversed? The application of 'gunboat diplomacy' in the 1920s was remembered on Humberside where an old hand recalled the arrival of the Royal Navy off the Kola-peninsula during a rather recent, yet bygone era:

Those were the days when Britain was really a great power and Russia was comparatively weak. ... One day, up steamed a British gunboat. She made a quick survey, then put down three buoys exactly three miles off the Russian shore. 'That', the captain of the gunboat told the interested trawler skippers who were watching the operation, 'is the international line that Britain recognises. Don't go inside it but you can fish outside it as much as you like'. The skippers were only too glad to get on with their fishing while the gunboat cruised idly around, like an old hen guarding her chicks.¹⁶⁷

When it came to the crunch after the Second World War it did not take a trial of strength to establish the new relations of power. The Soviet infringement on British maritime interests was not even debated at Cabinet level in London; the realities of the situation were abundantly clear. It could be argued that the slight to the principle of narrow territorial waters was rather limited, and that Britain's position was defended by legal reservations. Furthermore, the fishing at stake was comparatively minor. On the other hand, references to principle and universally accepted limits seemed flimsy when the real state of affairs was entirely different in some parts of the seas. In the following years, the Icelanders were to use this argument repeatedly—and effectively. Overall, therefore, the outlook appeared to be rather bleak. The accumulation of disputes or

¹⁶⁶ See section 2.6, 105-106.

¹⁶⁷ *Grimsby Evening Telegraph*, 12.4.1951.

impending disputes with such diverse states as Norway, Iceland and the Soviet Union, as well as other detrimental developments, led to some necessary reflections in Whitehall about Britain's policy on territorial waters and the high seas. For it seemed that almost everywhere the British were fishing in troubled waters.

1.5. In 'Cloud Cuckoo Land' and at The Hague: The Great Maritime Power Revisited, 1949-52

Was it no longer vital for Britain's national interest to stem the tide for wider claims on the high seas? Was it perhaps impossible in any case to resist the growing current? At the end of the 1940s, these questions had been forced on officials in Whitehall and they had mainly tried to find immediate responses to external actions. It was logical, however, that a deeper debate on Britain's underlying assumptions should arise. In late 1949, Legal Adviser Sir Eric Beckett initiated this soul-searching, and immediately invoked what was called 'a first class row' between the Foreign Office and the Admiralty.¹⁶⁸

Beckett was painfully blunt. He found Britain, at the Admiralty's behest, guilty of a far too rigid adherence to the three-mile limit. Even worse, British decision-makers had foolishly thought that their wishes would almost automatically come true:

This policy ... led to what was practically a belief that international law can be made for the whole world by a series of British protests of which in fact other countries took remarkably little notice. ... It can, I think, only be described as cloud cuckoo land... But, and this is really my whole point, to save the maximum we have got all the time to examine the details and tactics with the greatest care and the greatest sense of reality, and the fact that something has in the past formed recent ... Admiralty policy cannot weigh very heavily in the conclusions which we reach as to what it is best to do now. We are all agreed as to our object and that is to save as much as we can.¹⁶⁹

It could be argued that the Foreign Office was in closer touch with the reality of Britain's diminished influence than the Admiralty, steeped in the traditions of supremacy on the high seas. Tough replies to Beckett's reproaches certainly indicated that the scions of Drake and Nelson foresaw further naval conflicts where navigation on the high seas must not be impeded by excessive national jurisdiction.¹⁷⁰ Moreover, the Palmerstonian 'gunboat diplomacy' was definitely not considered obsolete in Whitehall. When, in 1949, the notoriously conservative Chiefs of Staff discussed a note on 'Naval Assistance in Support of Foreign and Colonial Policy', the Admiralty could point to the

¹⁶⁸ PRO: ADM1/25859, Dodds to Abercrombie, 21.10.1949.

¹⁶⁹ PRO: ADM1/25859, Beckett to Synnott, 24.11.1949. Also Beckett to Dodds, 16.9.1949. C.J. Bartlett echoed the 'cloud cuckoo land' view when he wrote on British policy-makers in general, that 'British success over the years could still lead to periods of self-confidence and to a predisposition to expect other peoples to share (or in time to be persuaded to share) the same assumptions'. Bartlett, *British Foreign Policy*, 42-43.

¹⁷⁰ PRO: ADM1/25859, Synnott to Beckett, 21.11.1949. Also Synnott minute, 1.12.1949.

need to show the flag in the Far East, at the Gulf of Aqaba and in British Honduras.¹⁷¹ This traditional emphasis on naval pre-eminence was outdated and illogical.¹⁷² At the time, the miscalculation meant that the sea-lanes across the North-Atlantic, in the Mediterranean, the Indian Ocean, the China Sea and indeed almost everywhere, were deemed to be of 'vital interest' to Britain.¹⁷³ Furthermore, any deviation from the three-mile limit could impede access to 'vital' outposts like Gibraltar, Singapore and Hong Kong. Not only could navigation be at stake but flying as well, because in territorial waters the airspace above was also under national jurisdiction.¹⁷⁴ Thus, all encroachments on the freedom of the high seas had to be resisted, and why should that not be possible? Nigel J. Abercrombie, Head of Military Branch, probably caught best the prevalent mood in the Admiralty by writing that 'although the United Kingdom can perhaps no longer describe itself as the foremost maritime power of the world, we have, even now, the second largest navy'.¹⁷⁵ It must be stressed, nonetheless, that in their defence of the three-mile limit, the officials of the naval department were not in a belligerent mood. They never recommended the use of force to defend it in the outside world, as was perhaps best demonstrated when the Royal Navy obeyed orders from Moscow and dared not enter the 12-mile territorial waters of the Soviet Union. Thus, this particular battle for the freedom of the high seas was only waged in Whitehall. The Admiralty was tough on the abstract principle but soft on its actual protection.

The acquisition of allies was as vital in the bureaucratic struggle as in real wars. The Ministry of Transport and the Fisheries Department sided with the Admiralty while the Foreign Office found few supporters in Whitehall.¹⁷⁶ Outside assistance could shift the balance, however. Professor Humphrey Waldock, an expert on international law who was on the British team in the Anglo-Norwegian dispute at The Hague, stressed that the position of the United States was paramount.¹⁷⁷ If the Americans would side with Britain, these two maritime powers could probably hold the line for a while. If not, the British mission would be much harder. At the end of March 1950, Whitehall

¹⁷¹ PRO: DEF5/17, COS(49)348, COS note, 19.9.1949. Also Desmond Wettern, *The Decline of British Seapower* (London: Jane's, 1982), 14-16. On the conservatism of the Chiefs of Staff, see Reynolds, *Britannia Overruled*, 53.

¹⁷² Kennedy, *Rise and Fall*, 328-329.

¹⁷³ E.g. PRO: CAB158/13, COS memorandum, 7.12.1951, and CAB158/6, JIC(49)22, JIC report, 23.4.1949. Also Holland, *Pursuit*, 265-266.

¹⁷⁴ PRO: ADM1/25859, Wyatt to Abercrombie, 10.3.1950.

¹⁷⁵ PRO: ADM1/25859, Abercrombie minute, 3.2.1950. Also Admiral Sir James Eberle, 'The Military Relationship', in Wm. Roger Louis and Hedley Bull (eds), *The 'Special Relationship'. Anglo-American Relations Since 1945* (Oxford: Clarendon Press, 1986), 155.

¹⁷⁶ PRO: ADM1/25859, interdepartmental meeting, 29.3.1950. Also DO35/3352. Powell to Beckett, 10.8.1950. CO323/1926/1, Beckett to Powell, 12.8.1950.

¹⁷⁷ PRO: ADM1/25859, interdepartmental meeting, 29.3.1950.

therefore agreed to seek informal discussions with the United States on the various aspects of territorial waters.

Both the staunchest defenders of the three-mile limit and the proponents of concessions had some reason to believe that support for their views could be sought in Washington. The American attitude on territorial waters in the first decades after the Second World War was ambiguous. True, for over 150 years the United States had argued that territorial waters should not be wider than three miles and the principle of the freedom of the high seas was still of 'vital importance to the United States'.¹⁷⁸ On the other hand, the Truman Declarations of 1945 had, to recapitulate, encouraged various Latin American states to increase their maritime jurisdiction and the United States had not been prepared to protest Iceland's moves to extend her fishing limits.¹⁷⁹ Domestic interests in some states could also influence American action. For years, the federal government and the states of Texas, Louisiana and California had been involved in litigation over ownership of the seabed off their coasts, extending beyond the three-mile limit, and the issue remained unresolved by the end of 1951. On the east coast of the United States, fishermen wanted to have Canadian competitors pushed out of fishing grounds on the traditional 'high seas' and the same could be said on the west coast and in Alaska.¹⁸⁰ Hence, in late 1950, Professor Waldock estimated that the United States was slowly but surely moving in the wrong direction from the traditional British point of view.¹⁸¹ Admiralty officials also admitted that time was not on Britain's side; 'that there is something approaching a virtual certainty that sooner or later we shall lose the three-mile limit of territorial waters if our policy remains completely unchanged'.¹⁸²

A worrying lack of solidarity was also evident in other quarters. Scottish inshore fishermen had long resented foreign trawling up to the three-mile line in the Moray Firth and the Minches, and regularly called for the extension of the limit in these waters.¹⁸³ On close scrutiny, the British view on the law of the sea was not even respected within all territories under His Majesty's jurisdiction. During the proceedings at The Hague, the Norwegian team stated that off Honduras and Fiji, for instance, the

¹⁷⁸ *FRUS 1950* I, 889, Chapman memorandum, 29.5.1950.

¹⁷⁹ See introduction, 16, and section 1.3, 45.

¹⁸⁰ Swarztrauber, *Three-Mile Limit*, 155-162.

¹⁸¹ PRO: ADM1/25859, interdepartmental meeting, 21.12.1950.

¹⁸² PRO: ADM1/25859, minute by Deputy Secretary [name illegible], 19.1.1951. Also Hanna minute, 16.1.1951.

¹⁸³ PRO: FO371/77465/N9683/1351/30, Macdonald to Alexander, 28.10.1949, and *Glasgow Herald*, 19.12.1951 (leading article).

British authorities had used baselines to delimit territorial waters,¹⁸⁴ and the colonial governments of Bermuda and the Bahamas caused some anxiety in London by insisting on the regulation of fisheries far beyond a three-mile limit.¹⁸⁵ Likewise, some Commonwealth countries did not share the British view on territorial waters. In early 1949, Prime Minister Louis St. Laurent declared that with Newfoundland about to enter the Canadian confederation, the Gulf of St. Lawrence should come under national jurisdiction. Its entrance was over a hundred miles wide so the claim, as Legal Adviser Beckett was to point out, ran ‘completely contrary to the doctrine which we [are] trying to establish in the Anglo-Norwegian fisheries case’.¹⁸⁶ Similarly, the Australian authorities claimed the right to control fishing beyond the three-mile limit, although they could be persuaded to postpone such legislation until the International Court had delivered its judgement in the Norwegian dispute.¹⁸⁷ Finally, in 1949 the United Nations General Assembly accepted Iceland’s proposal that the International Law Commission should debate the width of territorial waters.¹⁸⁸ Britain had resisted the motion, arguing that the three-mile rule was well established in international law, and while the outcome of the Commission’s study was of course uncertain, the Assembly’s decision seemed to undermine the British view on the law of the sea.¹⁸⁹

The tide was turning. On December 18, 1951, the true shock came when the International Court of Justice delivered its ruling in the Anglo-Norwegian dispute, wholly in favour of Oslo. The judges sanctioned the use of baselines and stated that the coastal population’s dependency on fisheries was one of the factors which determined their decision.¹⁹⁰ As Sir Eric Beckett immediately lamented, it was the worst possible outcome, fraught with adverse consequences.¹⁹¹ A couple of months before, when the 1901 treaty on three-miles off Iceland was due to expire, Britain had persuaded a reluctant government in Reykjavík to postpone further steps on fishing limits until a

¹⁸⁴ PRO: CO323/1926/1, Jones to Roberts-Wray, 12.8.1950.

¹⁸⁵ PRO: CO323/1926/1, Hood to Griffiths, 21.10.1950, and CO537/6686, Bahaman government to Secretary of State for the Colonies, 28.10.1950.

¹⁸⁶ PRO: FO371/94683/NN1351/10, Burrows to FO, 14.3.1951. Also FO371/94694/NN1351/131, Johnson minute, 1.6.1951.

¹⁸⁷ PRO: FO371/99801/GW1/2, McEwen to Garnett, 12.12.1951.

¹⁸⁸ *Yearbook of the United Nations 1948-49* (New York: United Nations Department of Public Information, 1949), 951-952.

¹⁸⁹ The Commission’s chairman, Prof. Manley Hudson, was a known supporter of increased rights for the coastal state. SSÍ-DÓP: Andersen to Thor Thors, 11.8.1949. Also Jónsson, *Friends*, 55-57, and PRO: DO35/3352, UN delegation to FO, 20.10.1949.

¹⁹⁰ For a detailed discussion on the ruling, see Waldock, ‘Anglo-Norwegian Fisheries Case’, and Evensen, ‘Anglo-Norwegian Fisheries Case’.

¹⁹¹ PRO: FO371/94694/NN1351/128, Nicholls to FO, 18.12.1951.

judgement was reached at The Hague.¹⁹² Now the Icelanders could be expected to sail in the wake of the Norwegians. Britain's confidence in the International Court had obviously been misplaced. In the privacy of a Foreign Office minute, Beckett condemned it for sheer incompetence and emphasised the need to deprive the Latin American states of one of their four seats. Instead, a more 'reliable' judge from Western Europe should be chosen.¹⁹³

With the benefit of hindsight, it is clear that Britain would have been wiser to cut her losses and accept outright the Royal Decree of 1935 or strive more arduously for a bilateral deal which the Norwegians could accept, and hope that either way the principle of three-mile limits from the low-water mark would not be too undermined. It has been shown, however, that the five restrictions of power, pressure, prestige, precedence and principle excluded such surrender. On the other hand, it has also been demonstrated how difficult it would have been—in a drastically new environment—to defend forcefully the traditional national interest of narrow territorial waters. Furthermore, all but a few British decision-makers lacked the *inward will* to be as tough as befitted a great power defending a supposedly vital interest. Little could be done about the Soviet Union but what kind of great power aided the development of another state like Iceland, however small, when she was intent on infringing Britain's avowed vital interest? And what kind of great power was prepared to allow another state, Norway, to ignore that interest and then simply put it in the hands of the International Court? When the proceedings at The Hague were over many Norwegians called the British 'good losers',¹⁹⁴ and Ambassador Collier's successor, Sir Michael Wright, even seemed to take an almost masochistic pride in this successful demonstration of British magnanimity, emphasising the general feeling in Oslo that 'no country but Britain would have shown such a high standard of conduct, especially in the face of a final and severe disappointment'.¹⁹⁵

Britain was too civil. Around this time Arnold Toynbee suggested that the British people had become 'prematurely humanised' in their approach to foreign affairs and other scholars later elaborated on the idea. Sometimes they provoked grossly, with A.J.P. Taylor describing Munich and appeasement as 'a triumph of all that was best and

¹⁹² PRO: FO371/94657/NL1351/39, Benediktsson to Greenway, 8.9.1951.

¹⁹³ PRO: FO371/100657/NN1151/13, Beckett memorandum, 14.2.1952. For a similar view, see LCO2/5783, Dobson note, 8.5.1952.

¹⁹⁴ PRO: ADM1/24625, Fishery Protection Periodical Report, 1.12.-1951-1.4.1952, 20.4.1952.

¹⁹⁵ PRO: FO371/100664/NN1351/2, Wright to Eden, 2.1.1952. For this British trait in general, see Marcus Collins, 'The fall of the English gentleman: the national character in decline, c. 1918-1970', *Historical Research*, Vol. 75, No. 187, 2002, 93-94.

enlightened in British life'. Others, like F.S. Northedge and Paul Kennedy, were more balanced and emphasised an intrinsic faith in compromise and reasoned argument.¹⁹⁶ The British approach to infringements on the national interest of narrow territorial waters in the first years after the Second World War partly supports this view. The rejection of 'gunboat diplomacy' is not only explained by realistic restraints, but also by an idealistic tepidity and nobleness, a will to solve disputes peacefully and take the opponent's opinion into consideration. *Realpolitik*, after all, is not an English word. Still, all the external arguments for compromise and forbearance which were outside Britain's power must be kept in mind as well. Although *Realpolitik* may have an alien ring, 'gunboat diplomacy' is intrinsically English. It must be asked if the will of restraint did not stem more or less from the inability to act more forcefully. While the issue was almost infinitely smaller, a comparison can be made with the British position in India after the war, as Chancellor of the Exchequer Hugh Dalton described it: 'If you are in a place where you are not wanted and where you have not got the force to squash those who don't want you, the only thing is to get out'.¹⁹⁷ Magnanimity can be another word for enfeeblement.

The same may apply even when superior power was at hand but went unused. Rather than a pure sign of civility, such composure can at least partly be the result of miscalculations. Britain had certainly not set out to be the 'good loser' at The Hague, and an interesting counterfactual can be contemplated: what would have happened if the decision-makers in London had been better judges of current trends in maritime affairs? Would they then have been prepared to put defence of this supposedly vital aspect of Britain's national interest, narrow territorial waters, in the hands of the International Court? It will be seen that fear of another loss certainly influenced the British decision not to refer the consequent conflict with Iceland to The Hague, even if the circumstances were very similar.¹⁹⁸ In short, while one loss had gracefully been endured, an endless retreat was intolerable. In the next few years, Britain did manage to

¹⁹⁶ For a summary of these views, see Bartlett, *British Foreign Policy*, 42-43. Also Patrick Finney, 'The Romance of Decline: The Historiography of Appeasement and British National Identity', *Electronic Journal of International History*, <<http://www.ihr.sas.ac.uk/publications/ejihart1.html>>, section 16, accessed 10.1.01. A popular theory seems to exist still in England that 'fairness' is, in the words of Conservative politician Ann Widdecombe, 'something quintessentially British', or, as Labour Minister Michael Wills had it, that the 'core of our national identity' is 'fairness, a sense of fair play'. See *Independent on Sunday*, 4.11.2001.

¹⁹⁷ See Kennedy, *Rise and Fall*, 384. For a contemporary comparison, see Robert Kagan's observation that, compared to the United States, Europe has a 'greater tolerance for threats today' because of its greater difficulty in countering them. Thus, there exist 'differing psychologies of power and weakness'. Robert Kagan, *Of Paradise and Power. America and Europe in the New World Order* (New York, Alfred A. Knopf, 2003), 31.

¹⁹⁸ For an appreciation of the similarities, see PRO: FO371/94683/NN1351/24, Beckett minute, 5.6.1951.

secure a satisfactory settlement on fishing limits off the Faroe Islands and an uneasy compromise in the Barents Sea. However, the importance, and indeed the wisdom, of these ‘victories’ could be doubted. Furthermore, British rulers were to find out in the Icelandic case that while they would not be the ‘good loser’ again, the only other option also led to defeat, just by a route much worse: Britain became the bad loser, avoiding unpleasant decisions on international law, surrendering the formation of foreign policy to an inflexible pressure group, risking greater interests for smaller, upsetting her most important ally and forfeiting any chance of cutting her losses through controlled concessions.

II. Procrastination. Redefinition of the National Interest Postponed, 1952-1956

2.1. Indecision-Making in Whitehall. Departmental Infighting and the Law of the Sea, 1952-54

Soon enough the shock waves from The Hague reached British shores. An important decision had to be made: how should Britain react to the new realities on the law of the sea? Unsurprisingly, interdepartmental infighting ensued where foresight and realism clashed with backwardness and wishful thinking. When the decision finally emerged it was long overdue, largely irrelevant, and entirely incorrect. Thus, the in-built failure of the decision-making process in London was well demonstrated. Indeed, a study of the *making* is more meaningful here than a focus on the end result. A similar sequence of events was to be repeated over and over, and as Graham Allison wrote in *Essence of Decision*, the classic work on decision-making: ‘We should ask not what goals account for a nation’s choice of an action, but rather what factors determine an outcome’.¹

The departmental conflict took place on two fronts. At the beginning of 1952, an informal territorial waters committee was established in Whitehall, with representatives from the Foreign Office, the Admiralty, the Ministry of Agriculture and Fisheries, the Ministry of Transport and the Scottish Office. Other departments sometimes joined in as well. This group was to prepare a Cabinet paper on the pros and cons of baselines, with recommendations on future policy.² At ministerial level, meanwhile, the standing Home Affairs Committee occasionally discussed the matter.³

The battle lines were fairly clear. The Scottish Office, with an eye on the interests of inshore fishermen in Scotland, wanted to use baselines to incorporate the Moray Firth, the Firth of Clyde and the Minches into Britain’s territorial waters.⁴ The Colonial Office also calculated that, on balance, overseas territories would benefit from the adoption of this method.⁵ Similarly, the Ministry of Fuel and Power felt that since oil rights on the seabed were in some cases limited to the boundaries of territorial waters, British companies would overall gain from its application, for instance in the

¹ Graham Allison, *Essence of Decision. Explaining the Cuban Missile Crisis* (Boston: Little, Brown, 1971), 255.

² PRO: FO371/99804/GW1/34, interdepartmental committee meetings, 12.2.1952 and 14.2.1952.

³ PRO: CAB21/2762, Padmore minute, 17.4.1952.

⁴ PRO: FO371/99801/GW1/10, SHD note, January 1952.

⁵ PRO: FO371/99807/GW1/85, CO note, 8.5.1952.

Persian Gulf.⁶ And the Foreign Office came firmly down in favour of baselines. In the last resort, wrote Assistant Legal Adviser D.H.N. Johnson in March 1952, the principle of narrow territorial waters depended ‘on the existence of naval powers with (a) the will and (b) the power to enforce them’. Up to 1914, Britain had possessed both but much had changed since then and Johnson pointed out that ‘a trend away from the narrow limits is inevitable, as the small powers and the middle powers, one after another, see they can “get away with it”’.⁷ The Foreign Office view was not based on what Britain wanted, therefore, but rather on what she could hope to achieve in the wider world. For of what use would a denial of baselines be if it only applied to British lands?

Within Whitehall, however, the defenders of the narrowest limits were by no means convinced that the struggle against baselines was lost. The Fisheries Department complained—rather ironically in light of that department’s biased defence of the trawling industry’s well-being—that the Scottish Office were advancing ‘a case on behalf of local interests ... that has to be weighed against wider national interests’.⁸ The Admiralty also emphasised that Britain needed narrow territorial waters around the world, as did Transport officials, concerned with the Merchant Navy and indignant that the proposed baseline to close the Moray Firth would stretch over 70 miles, much longer than the most extensive lines off Norway.⁹ Furthermore, they lambasted the diplomats for an unnecessary exaggeration of Britain’s ebb on the high seas:

It is true that no Foreign Secretary could say today, as Sir Edward Grey did, that we should go to war for the sake of the three-mile limit. But even the Foreign Office, in their most dejected frame of mind, would admit that the narrowing of territorial waters limits is still a major objective of foreign policy.¹⁰

By the summer of 1952, it was obvious that a joint Cabinet paper could neither be produced at departmental level nor in the Home Affairs Committee.¹¹ The problem would have to be sorted out at the highest levels.

On July 29, the Cabinet discussed the delimitation of territorial waters. Anthony Eden recommended that baselines be used for Britain and her overseas territories, explaining that after the ruling at The Hague, ‘reasonable’ lines of this kind could not really be

⁶ PRO: POWE33/1974, Nuttall minute, 24.3.1952. FO371/99807/GW1/73, Armstrong minute, 28.3.1952.

⁷ PRO: FO371/99807/GW1/78, Johnson minute, 29.3.1952.

⁸ PRO: FO371/99805/GW1/56, Johns to Saner, 10.3.1952.

⁹ PRO: MT59/2976, Guttery note, 6.3.1952. FO371/99804/GW1/43, Hanna to Saner, 28.2.1952.

¹⁰ PRO: MT59/2976, Morris minute, 12.6.1952.

¹¹ PRO: FO371/99810/GW1/131, Lloyd to Eden, 28.7.1952, and PREM11/2314, Brook minute, 23.7.1952.

challenged.¹² Even so, the opposition to change was powerful. J.P.L. Thomas, First Lord of the Admiralty, and Alan Lennox-Boyd, the Minister of Transport, insisted that the Foreign Secretary's proposal went completely against the naval, merchant and fishing interests of Britain.¹³ The naval aspect appeared to dominate the discussion and the debate was not based as much on the stark facts of 1952 as the obsolete observations of the past. Overnight, the ministers had not become experts on developments in the law of the sea or the effects of a particular ruling at The Hague half a year before. They knew for a fact, however, that Britain had always relied on the freedom of the high seas. Nobody was as well versed in that history as the Prime Minister himself. As a young man, Winston Churchill had spoken of Britain's need to hold 'unquestioned command of the sea'.¹⁴ At the Cabinet meeting in the summer of 1952, he most likely contributed significantly to the general conclusion that 'it was to the advantage of a great maritime power to keep free of territorial control as large an area as possible of the sea and of the air above it'. Before a final decision on baselines, however, the Cabinet invited the Minister of Defence to oversee a further examination of the naval implications, and the Foreign and Commonwealth Secretaries were to ascertain the attitudes of Commonwealth countries and the United States.¹⁵ Thus, the Foreign Office had not suffered a complete defeat. Then again, Field Marshal Lord Alexander at Defence and the Marquess of Salisbury at the Commonwealth Relations Office were as conservative as they came.¹⁶

A 'hard-line' response on the naval aspect looked particularly predictable. In September, the Chiefs of Staff ratified a report by the Joint Planning Staff on the arguments against baselines.¹⁷ In peacetime the most significant disadvantage was deemed to lie in the loss of opportunities to observe foreign shorelines, for instance through submarine and warship surveillance, and undoubtedly also by civilian vessels like the trawlers in the Barents Sea.¹⁸ Moreover, the Chiefs foresaw increased difficulty

¹² PRO: CAB129/53, C(52)247, Eden memorandum, 21.7.1952.

¹³ PRO: CAB129/54, C(52)255, Leathers, Thomas and Lennox-Boyd joint memorandum, 22.7.1952.

¹⁴ See Martin Gilbert, *Churchill. A Life* (London: Pimlico, 2000 (1st ed., 1991)), 67. Also Young, *Britain and the World*, 148.

¹⁵ PRO: CAB128/25, CC(52), 74th meeting, 29.7.1952.

¹⁶ For Alexander, see Correlli Barnett, *The Verdict of Peace. Britain Between her Yesterday and the Future* (Basingstoke: Macmillan, 2001), 84-89. For Salisbury, see Anthony Sampson, *Anatomy of Britain* (London: Hodder and Stoughton, 1962), 79-82.

¹⁷ PRO: DEFE6/21, JP(52)95(S)T of R, Joint Planning Staff note, COS Committee, 5.8.1952. Also JP(52)95(Final), Joint Planning Staff report, 22.8.1952. DEFE4/56, 124th meeting, COS Committee, 1.9.1952.

¹⁸ PRO: DEFE5/41, COS(52)487, report, approved by COS, 1.9.1952. There is no mention of trawlers in this partially sanitised document. However, recently declassified FO files, including a copy of the sanitised report, contain a discussion of the 1930 agreement with the Soviet Union on fishing in the

in carrying out ‘our tasks as a maritime power’ which apparently referred to traditional ‘gunboat diplomacy’ around the world.¹⁹ The detriment of baselines was said to be even greater in times of war. During both world wars, the Germans had abused neutral territorial waters and Churchill had been outraged in 1939-40 when Neville Chamberlain’s Cabinet refused for a long time to lay mines in the fjord off Narvik because it would violate the rights of neutral Norway.²⁰ In 1952, the Chiefs estimated that Britain was ‘sure to be more hampered than her opponents by any extension of neutral rights both because she is among the most law-abiding nations and because of her exceptional dependence on the exercise of sea power’. Other possible consequences of baselines which had earlier worried naval thinkers in London, such as the closure of strategic sounds or impeded access to bases like Singapore and Hong Kong, could easily have been added. Thus, the conclusion was reached that baselines should not be adopted by Britain and rejected elsewhere.²¹ Presumably, the Chiefs of Staff were not suggesting, still, that the ruling by the International Court in the Anglo-Norwegian dispute should be ignored. If they had their way, it would rather be a singular exception. Or maybe the military men had simply not considered the Court’s relevance at all. And of course, the main conclusion was only that baselines should be opposed but not how, specifically, that should be done.

The Foreign Office was not pleased, dismissing the naval objections as mostly theoretical (like the examples of wartime drawbacks) or based on the assumption that the three-mile rule and the low-water mark were almost universally accepted methods of delimiting territorial waters. That was plainly wrong, as was the implicit premise that other states would look to Britain for precedence on these issues. ‘The Admiralty are quite silly about this question’, Selwyn Lloyd, Minister of State in the Foreign Office, correctly concluded.²² Despite the guidance from The Hague, the naval department—and indeed the whole military leadership—was still lost in ‘cloud cuckoo land’.

Thus were the supposedly strategic detriments of baselines established. There remained, however, the survey of opinion abroad. Although the Cabinet had decided to focus on the United States and the Commonwealth, developments elsewhere would

Barents Sea which makes clear that surveillance in those waters was mentioned in the sanitised blank. See FO371/99812/GW1/146, Alexander to Eden, 10.9.1952, and undated FO note.

¹⁹ PRO: DEFE5/41, COS(52)487, report, approved by COS, 1.9.1952.

²⁰ PRO: ADM116/2176, Admiralty memorandum, 21.12.1922. Winston Churchill, *The Gathering Storm. The Second World War I*, (London: Cassell, 1948), 430-468.

²¹ PRO: DEFE5/41, COS(52)487, report, approved by COS, 1.9.1952. Also CAB21/2762, Jacob to Alexander, 9.9.1952. ADM1/273330, brief for First Sea Lord, 26.9.1952.

²² FO371/99812/GW1/146, Armstrong minute, 18.9.1952, and Lloyd minute, 19.9.1952.

understandably be taken into account as well, and comments would not necessarily centre on baselines as such, but rather the whole width of territorial waters.

The outlook was bleak. In 1952, Chile, Ecuador and Peru issued the so-called Santiago Declaration, expressing their right to a 200-mile limit,²³ and both Canada and Australia passed legislation on wider national jurisdiction.²⁴ Perhaps the most influential developments took place in the International Law Commission. Having begun to study the width of territorial waters in 1950, it was quickly clear that it would not suggest the retention of the three-mile limit. By early 1953, J.P.A. François, the eminent jurist and the Commission's rapporteur, had apparently reached the conclusion that not even a concession of six miles would do, for some states would never settle for anything less than twelve miles, measured from baselines where needed.²⁵ So, what should Britain do? In a rare departure from the preference for reactive 'pragmatism', the Foreign Office tried to impress on other departments the advantages of supporting a regulated retreat to six miles over a refusal to budge an inch which would simply be ignored.²⁶ If such a progressive policy had been followed, Britain's belated acceptance of the inevitable extensions would have been smoother, possibly saving her from an infamous 'cod war' with Iceland later in the decade and repeated failures at international conferences on the law of the sea. But as before, Whitehall did not fancy pre-emptive action. Best of all, decided the majority in the interdepartmental committee on territorial waters, would be to forestall for as long as possible a detrimental decision in the International Law Commission.²⁷

Unfortunately, Britain could also find support for the *status quo* in the United States. Notwithstanding some ongoing complications between coastal states and the federal authorities, the United States still appeared set to defend the principle of narrow territorial waters.²⁸ John Foster Dulles, the Secretary of State in Dwight Eisenhower's new administration, quickly learned that both the State and Defence Departments saw strategic advantages in narrow territorial waters.²⁹ Later in the year, Eisenhower also assured Senators from states with deep-sea fishing interests that the United States would

²³ Jónsson, *Friends*, 116.

²⁴ M.W. Mouton, *The Continental Shelf* (The Hague: Martinus Nijhoff, 1952), 103, 321-322.

²⁵ PRO: FO371/105736/GW1/18, Peck to Shawyer, 20.3.1953. Also Mouton, *Continental Shelf*, 183-249.

²⁶ PRO: FO371/105735/GW1/9, FO memorandum, 11.2.1953.

²⁷ PRO: FO371/105736/GW1/12, interdepartmental meeting, 17.2.1953. Also FO371/105739/GW1/76, minutes, 30.6.1953.

²⁸ In May 1953, the boundaries of US coastal states were confined by law to three miles from the low-water mark, while giving the southern 'Gulf States' (Texas, Louisiana, Mississippi, Alabama and Florida), the option to establish claims to wider limits in the courts. Swarztrauber, *Three-Mile Limit*, 238.

²⁹ Dwight D. Eisenhower Presidential Library, Abilene, Kansas [henceforward DDE]: John Foster Dulles Papers. Telephone Conversations Series. Box 1 Jan-April 1953 (4). 'Telephone conversation with Mr Phleger', 12.2.1953.

‘assert the rights of its nationals to engage in fishing on the high seas outside of the three-mile limit’.³⁰ Even so, the Americans were not determined to defend that principle, come what may. In the spring of 1953, for instance, British diplomats in Quito heard that the United States appeared willing to accept local demands about jurisdiction over tuna fishing deep off the coast of Ecuador.³¹

Thus, the American position on territorial waters remained ambiguous. This uncertainty was evident in the talks with British officials which the Cabinet had called for in July 1952. Delayed by the presidential election campaign and the regime change in Washington, they only took place the following summer. The two sides, led by the new Legal Adviser to the Foreign Office, Sir Gerald Fitzmaurice, and Assistant Legal Adviser to the Department of State, Raymond Yingling, agreed that while narrow territorial waters were advantageous, the inevitable tendency was for wider limits.³² On the whole, the lawyers at the Foreign Office were delighted and felt that more pressure could be brought to bear on all the traditionalists in Whitehall.³³ But when would it be applied? When would Britain, with or without the United States, start preparing an initiative of, say, a six-mile concession? That was where boldness waned and caution crept in. During the discussions in Washington, both parties agreed that it would be ‘bad tactics’ at present to undermine the three-mile limit by suggestions about possible extensions.³⁴ Furthermore, in the higher echelons of the Foreign Office the obvious demise of the three-mile rule was minimised and Anglo-American capabilities to control the situation were exaggerated. ‘This is a case where traditional British policy and US strategic interests coincide’, wrote Sir Pierson Dixon, the Deputy Under-Secretary of State.³⁵ Likewise, Anthony Eden, who of course recommended the adoption of baselines in 1952, had changed his mind, presumably because he now realised better that an established British interest was at stake. In October 1953 he encouraged the Cabinet to maintain ‘our traditional policy, the principle of freedom of the high seas, so vital to a great naval and maritime power’.³⁶

³⁰ DDE, Central Files, Official File. Box 624 ‘122-I. Fishing Industry (1)’, Senators Daniel, Holland and Saltonstall to Eisenhower, 6.8.1953, and Eisenhower to these Senators (individual letters), 30.10.1953.

³¹ PRO: FO371/105632/G4/32, Clark to Eden, 15.4.1953.

³² Six meetings took place between July 31 and August 10. See *FRUS 1952-1954* I, part 2, 1685-1695, record of discussions.

³³ PRO: FO371/105740/GW1/82, Johnson minute, 13.8.1953, and Fitzmaurice minute, 14.8.1953.

³⁴ *FRUS 1952-1954* I, Part 2, 1690, record of discussions.

³⁵ PRO: FO371/105741/GW1/97, Dixon minute, 2.10.1953.

³⁶ PRO: CAB129/63, C(53)277, Eden memorandum, 15.10.1953.

On December 14, 1953, Britain at last declared her position on the implications of the ruling in the Anglo-Norwegian dispute. While baselines would be of some advantage to local inshore fishermen, especially in Scotland, the government declared that ‘wider considerations, arising out of the naval, mercantile and deep-sea fishery position of this country’, must take precedence. Britain would neither adopt baselines nor accept them anywhere but off North Norway.³⁷ The conclusion was flawed, ultimately creating more problems than it solved. Yet, the process of indecision-making was at least complete. It had taken London one year and 362 days, a far too long time, to decide not to react to the ruling at The Hague. And both the process and the product are best explained by infighting in Whitehall, not the external environment. In other words, the episode may be seen as a small case study to support the ‘bureaucratic view’ on decision-making which does not see foreign policy as primarily a result of external politics but of internal political pressures and conflicts.³⁸ During the departmental struggle, moreover, the most knowledgeable officials (in particular the legal advisers) were simply outdone, especially when the matter moved to higher places in the hierarchy where ill-informed statesmen reached ill-informed conclusions. It even seems appropriate to refer to Correlli Barnett’s scornful assertion that British rulers at the time, whether Cabinet Ministers or Chiefs of Staff, were pathetically restrained by ‘historical habit and world-power hallucination’.³⁹

The deficiency of the final decision on baselines was immediately established. In fact, it will be seen that in late 1953, when Britain was involved in negotiations with Denmark over the use of that method around the Faroe Islands, the Foreign Office went so far as to reassure the Danes that the parliamentary declaration would have ‘no effect whatsoever’ on the talks!⁴⁰ It will also be seen that the Icelanders made utmost use of the Hague precedent. In short, the British government was to find out that it was one thing to declare what Britain wished, quite another actually to enforce that will.

³⁷ *Hansard*, Lloyd statement, 14.12.1953, cols. 36-37.

³⁸ For the most famous exposition, see Allison, *Essence*. For a summary, see Vasques, *Power of Power Politics*, 160.

³⁹ Barnett, *Verdict*, 90.

⁴⁰ RA-DEN: 55.DAN.32/I, Reventlow to Copenhagen, 8.12.1953. He was told of the proposed declaration beforehand. Also section 2.5, 99-103.

2.2. The Surrender of Foreign Policy to Hull and Grimsby. 'Re-representation', Realpolitik and the Beginnings of the Four-Mile Dispute with Iceland, 1952

It is now time to move again from the more abstract arena of international law to the actual problems facing Britain in the North Atlantic. Whereas London needed nearly two years to declare its position on the judgement at The Hague, it could be said that the rulers in Reykjavík made up their mind in something like two hours. When news of the result on December 18, 1951, reached Iceland later that same day, Foreign Minister Bjarni Benediktsson immediately suggested to John Dee Greenway, the British Minister, that conversations be held 'to dispose of our differences'.⁴¹ Talks took place: they proved useless. Iceland extended her limits and Britain protested. It was Norway all over again. But whereas that story had ended in failure at The Hague, this time the final battle would not be fought in a distinguished courtroom but rather in the docks on Humberside. The statesmen and officials in London decided to wash their hands of the affair, with a mixture of craftiness, miscalculations, exasperation and the experience of earlier defeat in their minds.

The International Court's blessing of Norwegian baselines greatly gratified the Icelanders. After all, the 1951 ruling emphasised the geographical and socio-economic situation in North Norway which applied just as well to Iceland. 'I think we all realise how poor a legal case we have', S.J. Whitwell admitted in Northern Department, and the interdepartmental committee on territorial waters accepted this assessment.⁴² Was it all lost, then? The Fisheries Secretary, H.J. Johns, argued that Britain should not concede the legal argument too soon, but 'make every point we possibly can in our own favour even to the extent of a little exaggeration if necessary'.⁴³ In other words, since the legal ground was weak, a different battlefield should be sought. And Humberside was then an obvious choice, for the trawling industry's threat to prevent the Icelanders from landing fish there was well known. In Whitehall, the territorial waters committee was convinced that '[f]rom the political and economic standpoints ... we do hold a few

⁴¹ PRO: FO371/94658/NL1351/61, Greenway to FO, 19.12.1951.

⁴² PRO: FO371/100628/NL1351/10, Whitwell minute, 21.1.1952, and FO371/100628/NL1351/4, interdepartmental meeting, 3.1.1952.

⁴³ PRO: MAF209/1047, Johns to Whitwell, 21.1.1952.

cards'.⁴⁴ Right after the ruling at The Hague, the forthcoming debate with the Icelanders had therefore been moved from the realm of international law to *Realpolitik*. This shift was obvious at the first round of talks, on January 25. Paul Mason, an Under-Secretary in the Foreign Office, led a team of British officials while the Icelandic delegation was grander, headed by Ólafur Thors, still Fisheries Minister and chairman of the Conservative Party. Thors was accompanied by Hans G. Andersen, who remained the government's chief adviser on the law of the sea, and the new Minister to Britain, Agnar Kl. Jónsson. Aware of its apparent strengths and weaknesses, the British side did not focus on the alleged universality of the narrow three-mile rule, but instead it repeatedly alluded to the troublesome trawlermen in the fishing ports, or 'the tough guy waiting in the back room', as the bargaining tactic of threats by a third party has been described.⁴⁵ The only concession that could be made was an *ad hoc* preservation line off the north coast of Iceland and across Faxa-Bay.⁴⁶

Britain's offer was far from the baseline-drawn four-mile limit which the Icelanders were after, and they were not that impressed by the political and economic 'cards' in front of them. For a number of connected reasons they calculated that Britain was either bluffing or that her call could be trumped. Akin to the five 'p's' behind British policy, the Icelandic determinants can be called the six 'c's': code of law, Cold War, cynicism, conservation, commitment, and compassion. First, the Icelanders remained convinced about their strong legal case.⁴⁷ Second, by refraining from lodging an official protest the year before, the United States had already indicated that for strategic reasons it would not put pressure on Iceland. Third, the constant reluctance to listen to Icelandic wishes in the preceding years had reduced British credibility. A cynical Hans G. Andersen felt that the other side only wanted to stall and ultimately reject all changes in Icelandic fishing limits.⁴⁸ Fourth, the Icelandic government would have been flatly condemned at home, had it not followed the precedent which was set by the ruling at The Hague. The commitment was supreme and action on fishing limits to stem the danger of overfishing was often compared to the declaration of independence in 1944.⁴⁹ It was the 'second battle for sovereignty', as one Icelandic

⁴⁴ PRO: FO371/100628/NL1351/4, interdepartmental meeting, 3.1.1952. Also MAF209/1032, Aglen to Armstrong, 5.1.1952.

⁴⁵ See section 1.2, 35.

⁴⁶ PRO: FO371/100628/NL1351/12, record of meeting in FO, 25.1.1952. Also Beckett minute, 29.1.1952, and Matthías Johannessen, *Ólafur Thors* II (Reykjavík: Almenna bókafélagid, 1981), 163-168.

⁴⁷ PRO: FO371/100628/NL1351/12, record of meeting, 25.1.1952.

⁴⁸ UD: 31.11/60/III, Heiberg to Oslo, 24.11.1952.

⁴⁹ Gunnar M. Magnúss, *Landhelgisbókin* (Reykjavík: Setberg, 1959), 58-62. For signs of overfishing after the Second World War, see Thór, 'Extension', 38-39.

historian has put it,⁵⁰ and there could be no question of having foreigners reap the rewards of conservation measures. The Icelanders claimed that the fish belonged to the local population alone, just like Britain owned the coal in Wales and the Midlands.⁵¹ Fifth, the Icelanders simply did not believe that the British government would encourage or allow the trawling industry to use economic pressure against a Western ally. Compassion would override that temptation.⁵²

Finally, on this particular occasion Thors, Andersen and Jónsson left London angry and offended, not only because what had been said but also because *who* they had met, or had not met. Ólafur Thors was a proud man, and a strong nationalist.⁵³ He came to Britain as three-time Prime Minister of a sovereign state which was a member of the United Nations and an ally in NATO. For Thors, it was an insult to himself and Iceland that no Minister met him and soon British officials began to hear how unhappy he was about his ‘cold reception’ in London where he had only seen ‘junior officials’.⁵⁴ After this initial encounter, therefore, Iceland’s determination was intensified, not tempered. Neither side backed down in London and a couple of diplomatic rendezvous in February were equally inconclusive.⁵⁵ On March 19, 1952, the Icelandic government announced a regulation on the extension of fishing limits to four miles around the country, drawn from baselines between the outermost headlands and islands. It was to come into effect on May 15.⁵⁶ Again, the Foreign Office estimated that Iceland’s legal case was strong. Furthermore, not only foreigners were barred from trawling inside the new limit, but also Icelanders, and this strengthened the scientific rationale. However, British officials felt that the important baseline across Faxa-Bay was excessive, as it stretched for 78 miles, much longer than the longest line off North Norway. In the south, moreover, it was not drawn from the mainland but a small rock well off the coast.⁵⁷

⁵⁰ Gunnar Karlsson, *Iceland’s 1100 Years. History of a Marginal Society* (London: Hurst, 2000), 2.

⁵¹ *Morgunbladid*, 26.9.1952.

⁵² See Johannessen, *Ólafur Thors* II, 167.

⁵³ Valur Ingimundarson, *Í eldlínu kalda stríðsins* (Reykjavík: Vaka-Helgafell, 1996), 25-26.

⁵⁴ PRO: FO371/100628/NL1351/19, Hohler minute, 16.2.1952, FO371/100631/NL1351/70, Etherington-Smith minute, 6.5.1952. Also unpublished autobiography of Agnar Kl. Jónsson. In possession of his family, Reykjavík [henceforward Jónsson manuscript].

⁵⁵ ThÍ-URN: 1996-B/63-2/15.D.001.2, Jónsson to Reykjavík, 14.2.1952. PRO: FO371/100629/NL1351/30, Lloyd minute, 11.3.1952.

⁵⁶ Thorsteinsson, *Útanríkisthjonusta* I, 411-412.

⁵⁷ PRO: FO371/100629/NL1351/31, Whitwell minute, 19.3.1952. FO371/100629/NL1351/34, Hohler minute, 26.3.1952. It was also argued that Iceland’s historic title to a four-mile limit was nowhere as strong as in the Norwegian case. The Icelanders, however, could point to historic claims of limits up to 48 miles. Andersen, *Greinargerð*, 49-52. Gunnlaugur Thórdarson, *Ævibrot* (Reykjavík: Setberg, 1990), 109-133.

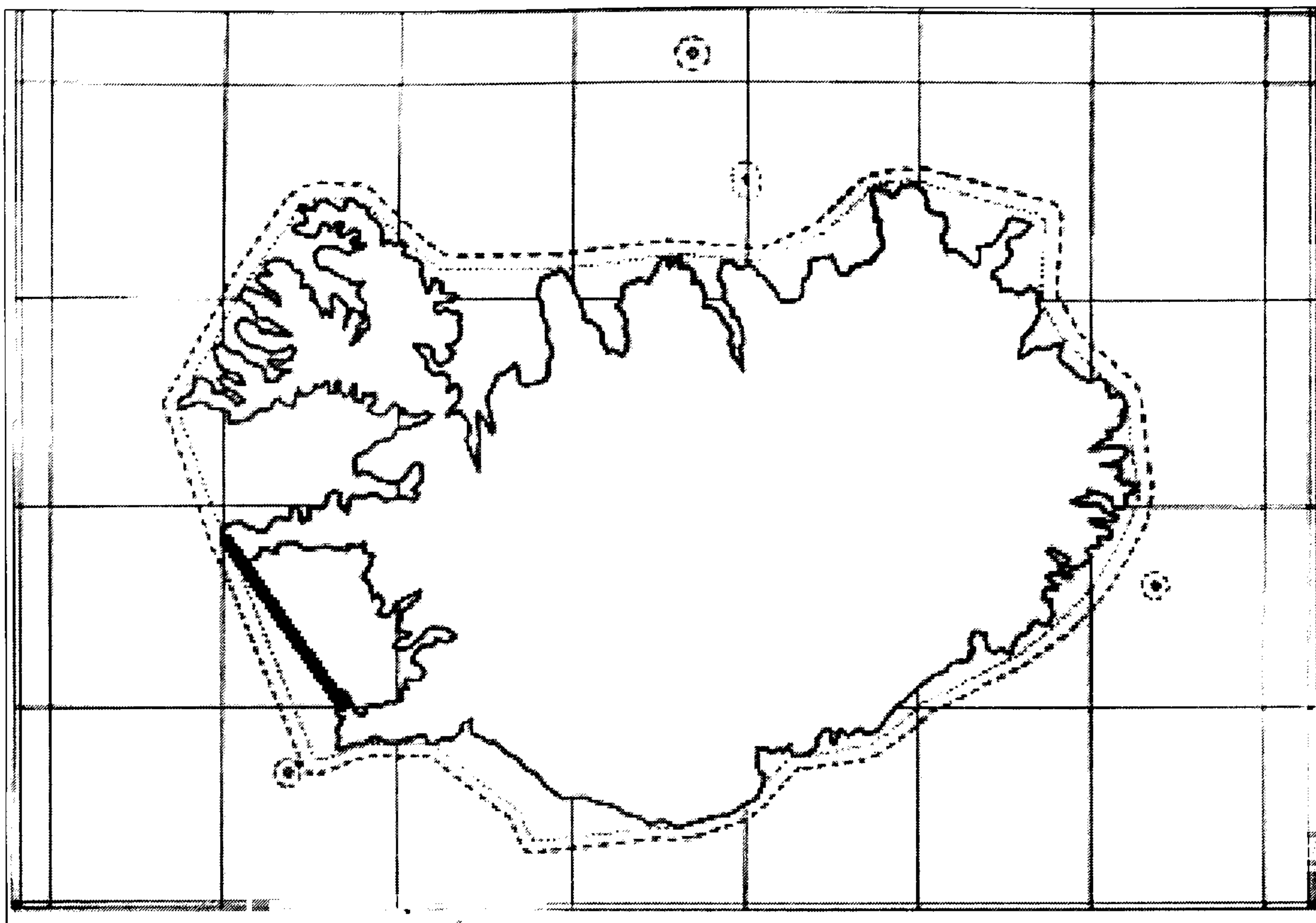


Figure IV. The four-mile baseline-measured fishing limit from 1952. Broad line across Faxa-Bay indicates a possible headland-to-headland baseline.

The Icelanders themselves looked likely to acknowledge that the Faxa-Bay line was debatable. In January, Andersen had showed the American Chargé d'Affaires in Reykjavík a map with possible closures of the bay, ranging from a moderate headland-to-headland line to the outermost headland-to-islet line which was ultimately used.⁵⁸ In February, three legal experts who the Icelanders consulted abroad warned that even if an extension of Iceland's fishing limits was both justified and understandable, in places the proposed baselines seemed 'daring'; a weighty word when used by jurists.⁵⁹ And at the end of 1952, Ólafur Thors said that the government had initially faced a choice between very wide demands which could then be modified and a just line which would not be negotiated. At this stage, he insisted that the latter course had been chosen.⁶⁰ Possibly, however, the Icelanders had in fact gone for the first flexible alternative but then decided to stick to it, because of Britain's rigid response and apparent indifference to their wishes.

Hurt pride and indignation may not be rational. But they can still be strong motives. Unarguably, emotional intransigence in Reykjavík contributed to the impasse which was to last, as will be seen, until late 1956. Although the fishing grounds which

⁵⁸ NARA: RG59/740B.022/1-1151, Morris to Washington, 11.1.1952.

⁵⁹ SSÍ-DÓP: undated report by Pétur Sigurdsson, hydrographer and later head of the Icelandic coast guard service.

⁶⁰ Johannessen, *Ólafur Thors* II, 198.

fell inside the new limit by the use of the long baseline were important, a compromise on a more modest way to close the gulf could perhaps have been hammered out. According to Greenway, Foreign Minister Bjarni Benediktsson did indicate that he would like to make such a change but feared a hostile reaction from the public.⁶¹ Iceland's attitude thus strengthens the contention that it is of course not enough to focus on British attitudes to understand British policies. Obstinacy on one side furnished similar feelings on the other side and after a couple of years of stalemate, Harry Hohler, head of Northern Department, would grumble that the Icelanders had from the onset wanted 'unconditional surrender', a clear hallmark of 'bad diplomacy because of the bitterness which it leaves behind'.⁶²

Even so, experienced negotiators must reckon with pride, ambitions and emotions on the other side of the table. British diplomats liked to think that they enjoyed a reputation for skilfulness, fairness and an 'adeptness through compromise'.⁶³ In this case, the legal rights and sensitivities of a newly independent people—'the stubborn and uncompromising Icелander' as the Foreign Office had it—were especially recognisable.⁶⁴ Yet, they were not taken sufficiently into account. An alternative history may therefore be suggested: what would have happened if British decision-makers had admitted the new legal circumstances, withstood the temptation to allude to the tough trawlermen, and negotiated from weakness? What if, instead of having him linger in a London hotel, Eden or even Churchill had invited the eminent Ólafur Thors to the House of Commons and recognised Iceland's reliance on the riches of the seas, but pleaded for moderation in disagreements between faithful friends? The Icelanders would have proved to be more amiable, diplomacy would have succeeded and British magnanimity prevailed, in the same spirit which made Britain accept defeat in the Norwegian dispute. In the words of Andrew Gilchrist, as Minister in Reykjavík near the end of a futile policy of coercion in late 1956, a 'humiliating defeat' was not to be dreaded, for 'surely the humiliation lies in the regrettable but total failure of our big stick, not in the acknowledgement of failure in a gentlemanly way'.⁶⁵

⁶¹ PRO: FO371/100630/NL1351/59, Greenway to FO, 2.5.1952.

⁶² PRO: FO371/111534/NL1351/155, Hohler minute, 15.11.1954.

⁶³ Donald Bishop, *The Administration of British Foreign Relations* (Syracuse: Syracuse University Press, 1961), 269, and Webster, *Art*, 2, 14.

⁶⁴ PRO: FO371/106089/N1054/1, draft memorandum, undated but received in registry 18.12.1953. In a lucid tale of the hidden lessons in a language, there is no proper word for 'diplomacy' in Icelandic and neither does the noun 'loser' exist. On the other hand, there are over thirty synonyms for 'battle' and roughly the same number of expressions to denote the act of conquering. And Jónsson and Hohler were also to have a quite fruitless argument on the precise meaning of the word 'discussion'!

FO371/100637/NL1351/252, Hohler minute, 1.12.1952.

⁶⁵ PRO: FO371/122523/NL1351/203, Gilchrist to FO, 2.10.1956.

A description of the ‘big stick’ comes later, but acumen on these lines was impossible at the start of the dispute in 1952 because of a number of characteristics in British decision-making. It is a truism in modern research on foreign policy, but domestic factors were clearly influential.⁶⁶ The trawling industry condemned the proposed extension of Iceland’s fishing limits and claimed that it would have disastrous effects.⁶⁷ In this sense, the conflict will be better understood if it is measured against the larger issue of British pressure politics and European integration in the 1950s and early 1960s. The National Farmers’ Union then proclaimed that ‘what is good for agriculture is good for the nation’. It enjoyed an ‘exceptionally close’ relationship with the Ministry of Agriculture and Fisheries and had considerable influence on European policy in London.⁶⁸ The similarities with the British Trawler Federation during the conflict with Iceland are obvious.

The deep-rooted preference for the supposedly pragmatic policies of reaction also contributed to the British misapprehension. The danger here was, as Frankel has pointed out, that ‘the decision-maker yields initiative to others and accepts the timing and conditions chosen by them without being able to make adequate preparations’.⁶⁹ During the dispute, members of the Foreign Office would admit that they were ‘constantly being overtaken by events’.⁷⁰ Likewise, the resistance to change was linked with wishful thinking, a prevalent trend in British foreign policy in the first decades after the Second World War.⁷¹ In February 1952, for instance, as rumours reached London that the Icelandic regulations about extended limits would soon be issued in Reykjavík, the interdepartmental committee on territorial waters instructed John Dee Greenway to do what he could to have it ‘held up altogether’.⁷² He might as well have been asked to tell the Icelanders to go back under Danish rule.

The smallness and isolation of Iceland also exacerbated the dangers of misjudgement. In late 1953, when fresh hints were still appearing about Thors’s resentment of having only met some minnows in London the year before, Hohler minuted that the complaints were ‘really quite intolerable’: ‘While Iceland is a

⁶⁶ See also introduction, 21.

⁶⁷ *Hull Daily Mail*, 20.3.1952.

⁶⁸ Robert J. Lieber, *British Politics and European Unity* (Berkeley: University of California Press, 1970), 48-53. Also N. Piers Ludlow, ‘British agriculture and the Brussels negotiations’, in George Wilkes (ed.), *Britain’s failure to enter the European Community 1961-63. The enlargement negotiations and crises in European, Atlantic and Commonwealth relations* (London: Frank Cass, 1997), 108-119.

⁶⁹ Joseph Frankel, *The Making of Foreign Policy. An Analysis of Decision Making* (Oxford: Oxford University Press, 1963), 196-197.

⁷⁰ PRO: FO371/106345/NL1352/41, Mason to Jarrett, 6.2.1953.

⁷¹ Peter Mangold, *Success and Failure in British Foreign Policy. Evaluating the Record, 1900-2000* (Basingstoke: Palgrave, 2001), 9-10, 38, 45, 85, 105, 120.

⁷² PRO: FO371/99804/GW1/34, interdepartmental meetings, 12. and 14.2.1952.

sovereign state, it is sometimes useful to remember that the total population is less than that of Hendon'.⁷³ This tendency to push aside an apparently minor nuisance like a dispute over fish with a tiny nation made matters worse. Disagreements grew and were that much harder to solve once they had to be tackled. In a way, the Minister in Reykjavík manifested the neglect himself. Iceland was Greenway's last assignment during a peripheral career in the Diplomatic Service. A self-confessed 'eccentric', his love of fishing saw him frequent the country's plentiful rivers and the last thing he wanted was a disruption to that happy state of semi-retirement.⁷⁴ In Reykjavík, both the Icelanders and foreign diplomats could only wonder why Britain kept such an obviously 'weak' man there.⁷⁵ Finally, the inattention to Iceland was partly caused by Britain's 'overstretch' after the Second World War.⁷⁶ There simply were too many issues to consider. In January 1952, Anthony Eden did not refrain from seeing Ólafur Thors because he did not want to meet him but because he had countless other issues to worry about.⁷⁷ To sum up, in the eyes of the 'pragmatists' in London, an *emerging* dispute with a *tiny* island, mostly over *fish* and only with *potentially* damaging consequences, was not really a problem.

Conceivably, the tranquillity could last for a while. In summer, when fish prices fell, the Icelanders did not sail with catches to Humberside so there was no immediate danger of a furious industry demanding or imposing a ban on such sales. And although the government was loath to admit it openly, the Fishery Protection vessel on station off Iceland was ordered not to use force or threats to resist an arrest of a trawler within the proposed four-mile limit.⁷⁸ At this stage, Britain had no desire to risk a shooting match with an Icelandic gunboat. On May 2, however, an official protest was lodged against the looming extension. Ten days later, the Icelandic government formally rejected that move, citing as before the clear right and need for action.⁷⁹ On May 15, the baseline-

⁷³ PRO: FO371/106351/NL1352/204, Hohler minute, 20.10.1953.

⁷⁴ John Dee Greenway, *Fish, Fowl and Foreign Lands* (London: Faber and Faber, 1950). Also Gilchrist, *Cod Wars*, 3, and Etherington-Smith to author, 20.10.2000.

⁷⁵ NARA: RG263, CIA Records. Murphy Collection on International Communism 1917-1958. Iceland, Box 126. '4201 Iceland 1948', Trimble Memorandum, 4.8.1948. UD: 31.11/60/III, Heiberg minute, 22.11.1952.

⁷⁶ Vital, *Making*, 94-96. Mangold, *Success*, 123.

⁷⁷ A telling comparison is that Eden's autobiography contains nearly hundred pages about the period 1951-54, without a single mention of Iceland. Sir Anthony Eden, *Full Circle. The Memoirs of Sir Anthony Eden* (London: Cassell, 1960), 13-106. Thors's biographer, however, devotes fifty pages to the fishing dispute. Johannessen, *Ólafur Thors II*, 157-207.

⁷⁸ PRO: ADM1/28914, 'Fishery Protection Charge Document No. 1', 8.5.1952. HM Ships would still inform the Icelandic authorities that the British government would protest such arrest and demand compensation.

⁷⁹ Jónsson, *Friends*, 60-61.

measured four-mile limit took effect. Another protest note on June 18 was not even answered by Iceland and already in July, the first British trawler was arrested for fishing inside the new line. The trawlermen were enraged.⁸⁰

Fresh thinking was clearly needed in Whitehall. 'Re-representation' of problems is a known concept in political science. As Robert Billings and Charles Hermann contend, 'most foreign policy problems continue over an extended period of time and ... policy-makers often find themselves returning again and again to the task of coping with an issue they have addressed before'.⁸¹ The history of the Anglo-Icelandic 'four-mile dispute' is a good case study of such repeated revision. It could be argued that from the talks in January to the summer of 1952, British decision-makers moved from Stage One in the process of 'Problem Identification'—the gap between 'How things are' and 'How things should be'—to Stage Nine, a 'New Occasion for Decision'.

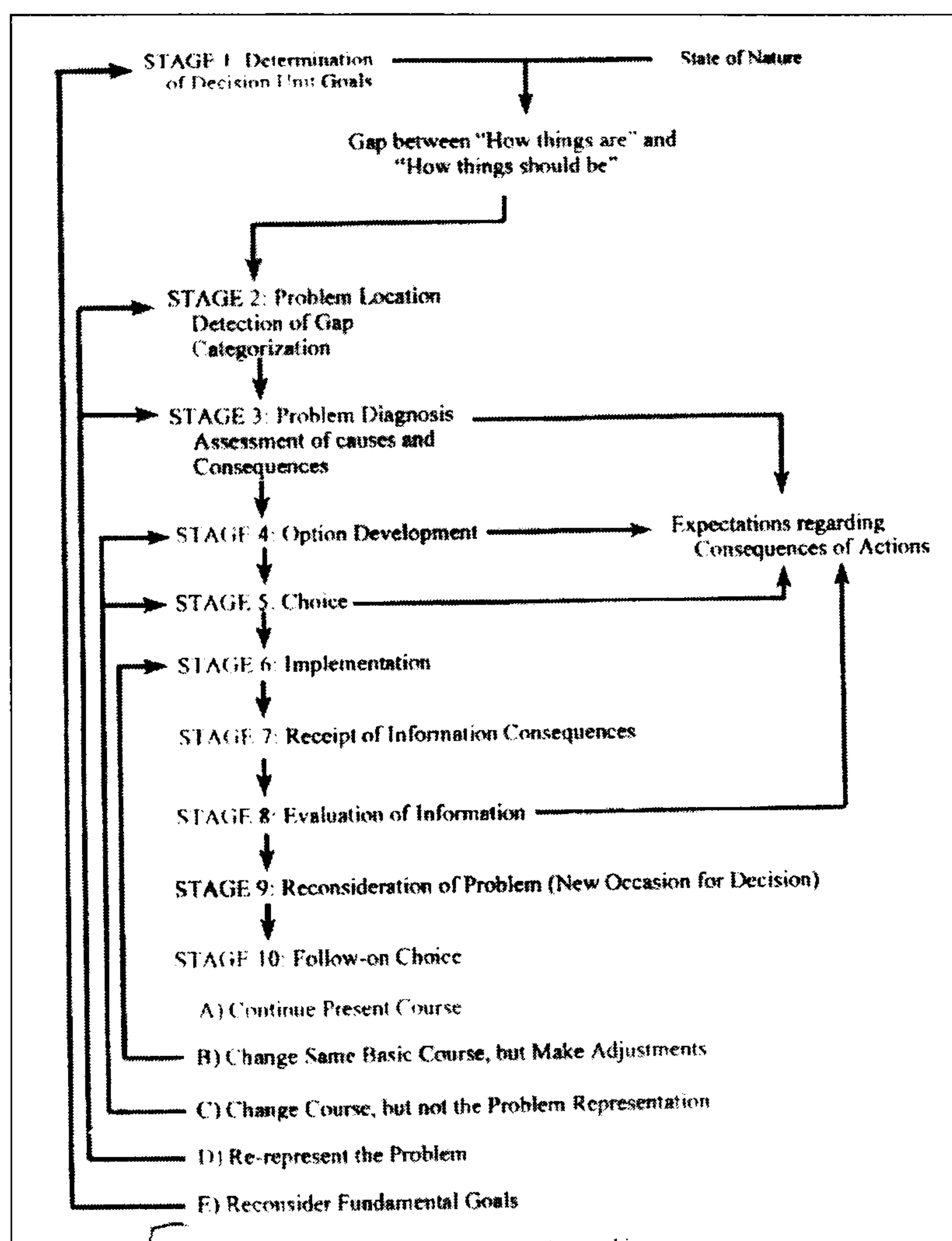


Figure V. 'Key stages in sequential decision making', or the 're-representation of problems'.

⁸⁰ Robinson, *Trawling*, 228-229.

⁸¹ Billings and Hermann, 'Problem Identification', 53. Also Glenn H. Snyder, and Paul Diesing, *Conflict Among Nations: Bargaining, Decision Making, and System Structure* (Princeton: Princeton University Press, 1977), 361-369, 392-397.

Already established courses for action would be revisited, but with the added knowledge that the Icelanders could not simply be talked into making a compromise. Solution through the International Court of Justice also stayed out of favour, for fear of the likely loss there.⁸² Seemingly, the remaining alternatives were then rather simple: more pressure or mere surrender. In other words, London could either 'stick with it' and 'turn the situation around', in line with the 'Escalation of Commitment' theory in the academic literature, or follow the 'Control' theory which expects 'corrective action in response to negative feedback'.⁸³

Escalation could involve an appeal for support from other states, the application of naval force (as Britain had indeed threatened at the start of the Norwegian dispute four years earlier) or the ever-present possibility of economic sanctions. In the summer and autumn of 1952, all these options were discussed, and discounted. First, the United States again decided not to protest the new Icelandic fishing limit, even though the State Department emphasised that the reticence was 'completely at odds with known US policy'.⁸⁴ But American defence needs and the strength of the Icelandic left continued to aid the authorities in Reykjavík. Neither did the Canadians wish to side with Britain against Iceland, concerned as they were with their own interest in the use of baselines.⁸⁵ Similarly, the Danes recognised that their Faroese subjects would gain from the application of that method.⁸⁶ The attitude in Oslo was more ambivalent. Fishermen from the herring ports in the south were hit by the extension and some Norwegian diplomats cynically whispered that hopefully the Icelanders could be made to retreat. Formal objections were out of the question, however.⁸⁷ West-German trawlers would also lose some valuable grounds but as officials in Bonn readily admitted, they were not in a position to throw their weight around in the North Atlantic.⁸⁸ In the end, only France, Belgium and the Netherlands delivered notes of protest. They fished little off Iceland, however, and representations from these states would not move the Icelanders.⁸⁹

⁸² PRO: FO371/100631/NL1351/74, Hohler minute, 9.5.1952.

⁸³ Charles F. Hermann, Robert S. Billings and Robert Litchfield, 'Escalation or modification: Responding to negative feedback in sequential decision-making', <<http://bush.tamu.edu/pubman/papers/1999/Hermann99.pdf>>, accessed 21.3.2002.

⁸⁴ NARA: RG59/320.22/11-2853, Dulles to Reykjavík, 28.11.1953. Also RG59/740B.022/5-252, State to Reykjavík, 19.6.1952.

⁸⁵ National Archives of Canada, Ottawa [henceforward NA-CAN]: RG25/8352/10600-E-40-1.1, Secretary of State to London High Commissioner, 13.6.1952.

⁸⁶ RA-DEN: 55.ISLAND.1/II, Brun minute, 6.5.1952.

⁸⁷ UD: 31.11/60/III, Colban minute, 27.5.1952. PRO: FO371/100632/NL1351/101, Oslo to FO, 3.6.1952.

⁸⁸ Federal Archives, Koblenz [henceforward BA]. BML: B116/73221, Meseck minute, 21.7.1952. B116/13052, Meseck to Ólafsson, 24.7.1952.

⁸⁹ Jónsson, *Friends*, 60.

What about the Royal Navy? On May 15, when the new fishing limits took effect off Iceland, the National Joint Industrial Council, a committee with representatives from trawler owners, skippers and mates, recalled the flag-showing presence of British warships in the Barents Sea in the 1920s and urged the government to take such action now.⁹⁰ The idea was hardly discussed in London, and certainly not liked. T.S. Leach, Chief Inspector of Fisheries, could not but comment that the days of Nelson and Drake were past, and Iceland was of course a NATO ally.⁹¹ The same deterrent appeared to aid the Icelanders in the economic field. On the whole, the trawling industry favoured a ban on all landings of fish from Icelandic trawlers to force a revision of the new limits, but as Harry Hohler wrote, such sanctions would be inexpedient in view of 'world opinion', Iceland's strategic importance, commitments on trade discrimination and the need for full supplies of fish in Britain.⁹² From Reykjavík, Greenway also urged the government to declare that they 'most strongly disapprove of what is in effect blackmail by trawling interests'.⁹³ Then again, the continued, almost schizophrenic, combination of a liberal dislike towards economic sanctions and the shrewd acknowledgement of their possible potential was still present. The dichotomy was well embodied in Richard Faber, a junior member of the Foreign Office who found the industry's calls for a landing ban 'most unhelpful' but objected as well to Greenway's choice of words, saying that the 'blackmail' might just as well be called 'legitimate retaliation'.⁹⁴

The fluctuation fits well with Richard Little's overall conclusion about 'an inherent tension' in British foreign policy, or an underlying ambivalence 'which precipitates ambiguity'.⁹⁵ The Icelandic four-mile dispute was of course small in the larger scheme of things, at most a paragraph in the history of Britain's uneasy readjustment in the post-war world. Yet, it is a good demonstration of the greater dilemma: while reassertion of British power was fraught with dangers and disadvantages, the prospect of retreat was equally unappealing. The trawling industry would have been livid, had the government put great pressure on them to accept the new limit, and both Anthony

⁹⁰ PRO: MAF209/68, NJIC minutes, 15.5.1952.

⁹¹ PRO: MAF209/1465, Leach to Williams, 11.7.1952.

⁹² PRO: FO371/100631/NL1351/74, Hohler minute, 9.5.1952. Also FO371/100632/NL1351/84, interdepartmental meeting note, 17.5.1952.

⁹³ PRO: FO371/100633/NL1351/133, Greenway to FO, 22.8.1952.

⁹⁴ PRO: FO371/100633/NL1351/133, Faber minute, 25.8.1952.

⁹⁵ Richard Little, 'The Study of British Foreign Policy', in Michael Smith, Steve Smith and Brian White (eds), *British Foreign Policy. Tradition, Change and Transformation* (London: Unwin Hyman, 1988), 257-258.

Eden and Anthony Nutting, Under-Secretary in the Foreign Office, worried that the public and Parliament would criticise the government for failing to defend ‘an important British interest’.⁹⁶ Furthermore, Britain would always have to consider what could be done to ‘prevent the infection spreading to the Faroes and Greenland’, as Faber minuted, a concern which was to grow in the following years.⁹⁷ And the Admiralty specifically underlined that an acceptance of Iceland’s baselines or four-mile limit would create ‘a most dangerous precedent’.⁹⁸

In short, all these considerations prevented acquiescence. In early September 1952, Harry Hohler sounded defiant, if annoyed. ‘The plain truth of the matter’, he insisted, ‘is that the Icelanders have got themselves into a mess by rushing ahead with the introduction of their regulations ... It is up to them to find a way out’.⁹⁹ In Billings and Hermann’s theoretical scheme, the ‘re-representation’ of the Icelandic problem was therefore complete. Stage Ten had been reached, ‘Follow-on Choice’, with five possibilities:

- A) Continue present course.
- B) Maintain same basic course, but make adjustments.
- C) Change course, but not the problem representation.
- D) Re-represent the problem.
- E) Reconsider fundamental goals.¹⁰⁰

As it happened, the British government adopted none of these options. Rather it took a course which could be called ‘detachment’ or maybe, with an eye to Hohler’s exasperating conclusion, the ‘Not-My-Problem’ alternative. Still, it was not just borne out of frustration. It was also a weapon; a fulfilment of the warnings which had been given ever since Ólafur Thors visited Britain in January 1952. Late that year, the formation of British policy on Iceland was effectively moved from London to Humberside. Indirectly, Britain was going to use power because it was there. At the Foreign Office, Sir Pierson Dixon admitted that the new world of increased interdependence, both in strategic and diplomatic terms, constrained Britain’s freedom of manoeuvre: ‘This is part of the price we have to pay for our fidelity to the principles of international co-operation under the UN Charter and our partnership with Iceland in

⁹⁶ PRO: CAB129/56, C(52)357, Eden memorandum, 23.10.1952. FO371/100633/NL1351/118, FO minute, 18.6.1952.

⁹⁷ PRO: FO371/100630/NL1351/66, Faber minute, 7.5.1952.

⁹⁸ PRO: FO371/100634/NL1351/177, Sawyer to Hohler, 24.10.1952.

⁹⁹ PRO: FO371/100633/NL1351/145, Hohler minute, 24.9.1952.

¹⁰⁰ Billings and Hermann, ‘Problem Identification’, 57.

the North Atlantic Treaty Organisation'.¹⁰¹ But as Dixon continued, there were limits to liberalism and neighbourly friendship:

On the other hand I do not think that we need be restrained by tenderness for Icelandic feelings from allowing the natural indignation of British trawling interests to vent itself through ordinary channels. Nor need the fact that Iceland is a member of NATO affect us overmuch. After all, in the spirit of NATO partnership, the Icelanders ought to have proceeded less brusquely, and consulted us more fully, about their regulations before they were introduced.

Both Eden and Permanent Secretary Sir William Strang agreed, and as Assistant Legal Adviser Johnson concluded, '[s]o long as it does not get out of control, a little retaliatory action by our trawler owners may be about the best way of getting the Icelanders to see reason'.¹⁰² H.A. Siepmann, who handled Icelandic affairs at the Bank of England, would write how 'disagreeable' it was to think that Britain's unwillingness 'to take up the case, as they did with Norway, is due to Iceland's being so small and so very vulnerable'.¹⁰³ But it was true. The 'big stick' was held aloft—or as political scientists have described attempts by strong states to coerce smaller countries: 'Big fish eat little fish'.¹⁰⁴

¹⁰¹ PRO: FO371/100633/NL1351/138, Dixon minute, 9.9.1952.

¹⁰² PRO: FO371/100633/NL1351/138, Dixon, Strang and Eden minutes, 9.9.1952.
FO371/100633/NL1351/147, Johnson minute, 29.9.1952.

¹⁰³ BEA: OV35/9, Siepmann minute, 22.1.1953.

¹⁰⁴ Gary Clyde Hufbauer and Jeffrey J. Schott, *Economic Sanctions in Support of Foreign Policy Goals* (Washington, DC: Institute for International Economics, 1983), 77.

2.3. The Big Stick. The Pros and Cons of Economic Coercion, 1952-53

The premise behind retaliation against Iceland was simple. It has been seen that most trawler owners were unhappy about competition in the British fishing ports, and since they controlled all landing gear in Grimsby and Hull, the main market for the Icelanders, and also in Fleetwood and Aberdeen, these necessities could be withheld. And should Icelandic trawlers still manage to land their catches, the owners could boycott the fishmongers who bought fish from them. It was not ‘gunboat diplomacy’ but still an action of the coercive kind, crude and almost certainly illegal. ‘Trawler diplomacy’ it could perhaps be called, and the aim was clear: ‘Quite obviously’, said the banker Siepmann after a few months of pressure, ‘we have got the Icelanders cold (and can have them stone dead before very long)’.¹⁰⁵

On October 2, 1952, when Iceland’s trawlers should have been sailing with full holds to Britain after the summer lull, the owners in Grimsby and Hull declared that they would deny them all landing facilities until the government in Reykjavík had given a ‘satisfactory answer’ to British objections over the new fishing limit.¹⁰⁶ This ban took immediate effect. For the next few weeks, there were sporadic talks at official level and between Icelandic and British owners, but they all proved fruitless. The main message from Humberside was that Iceland must discuss a revision of the four-mile limit, and the main message from London was that the Icelanders needed to seek an agreement with the industry, not Her Majesty’s Government.¹⁰⁷

The detached ‘Not-My-Problem’ approach was definitely not leading to a swift solution. And on balance it was of course more resignation than strategy. ‘[W]e must have a policy on this subject’, Anthony Eden observed after the imposition of the landing ban. ‘We have been too long without one’.¹⁰⁸ A few days later, an interdepartmental meeting was convened in Whitehall. John Dee Greenway was invited and for all his indolence in Reykjavík, he always reached the right conclusion that the Icelanders would not quickly succumb to economic pressure, even if it was obviously

¹⁰⁵ BEA: OV35/9, Siepmann minute, 22.1.1953.

¹⁰⁶ PRO: MAF209/68, NJIC minutes, 2.10.1952. For an overview of the landing ban, see Sigurdsson, *Sókn*, 204-284, and Jón Th. Thór, ‘The Extension of Iceland’s Fishing Limits in 1952 and the British Reaction’, *Scandinavian Journal of History*, Vol. 17, No. 1, 1992, 25-43.

¹⁰⁷ THÍ-URN: 1996-B/63-3 15.D.001.4, Jónsson to Reykjavík, 29.10.1952. PRO: MAF209/748, Armstrong minute, 3.10.1952. FO371/100635/NL1351/188, FO minute, 31.10.1952. FO371/100636/NL1351/214, Hohler minute, 18.11.1952.

¹⁰⁸ PRO: FO371/100634/NL1351/157, Eden minute, 11.10.1952.

hurting them. The ‘first prerequisite’ for a solution, said Greenway, was to have the sanctions removed. He probably underestimated the domestic ramifications in Britain and he may also have suffered from ‘localitis’, the tendency of some diplomats to sympathise overmuch with the views of their host country.¹⁰⁹ At any rate, the dozen other officials present totally ignored his advice and decided that the way out lay in having the trawling industry tell the Icelanders what ‘minimum concessions’ were needed before the removal of the ban.¹¹⁰ It is in fact tempting to view the October meeting in particular, and Whitehall discussions on Iceland in general, as a symptom of ‘groupthink’—the established concept in decision-making theory which is used to describe a group’s thinking ‘when the members’ strivings for unanimity override their motivation to realistically appraise alternative courses of action’.¹¹¹ Admittedly, Ministers and officials often argued about what to do but they all agreed that the new Icelandic regulations could not be accepted. The ‘group’ that was Whitehall disregarded negative input and had no place for radical or nonconformist thinking. Dissidents objected at their own risk and undeterred by the prevalent mood in London, Greenway thought about ways to evade the ban. He suggested that the Icelandic trawlers sail to Billingsgate. He also wanted to go to Humberside and ‘educate’ the trawlermen about the rightfulness of Iceland’s case.¹¹² Harry Hohler, who had complained about the Minister’s ineffectiveness during spring, was now lamenting his new ‘unnecessary enthusiasm’.¹¹³ The hapless Greenway was sidelined and could only resort to marking Foreign Office telegrams about the British stand with such expressions as ‘pooh!’ ‘why?’ and ‘!!!’¹¹⁴

Meanwhile, the detached disposition continued to prevail in London, despite Eden’s calls for a ‘policy’. A brief Cabinet discussion on October 28 mainly reaffirmed the desire that the ‘fishing interests of both countries meet for discussions’.¹¹⁵ But that approach was anathema to the government in Iceland which naturally sought to move the struggle to the legal arena. Bjarni Benediktsson angrily told Greenway that the matter ‘was not for British trawler owners to discuss. ... This was a dispute about

¹⁰⁹ Martin Mayer, *The Diplomats* (New York: Doubleday, 1983), 18.

¹¹⁰ PRO: FO371/100634/NL1351/163, FO minute, 16.10.1952.

¹¹¹ Janis, *Groupthink*, 9. Also Jonathan M. Roberts, *Decision-Making during International Crises* (Basingstoke: Macmillan, 1988), 143-152. For a summary of a critique on Janis’s ‘groupthink’ model, see Yaacov Vertzberger, *The World in Their Minds: Information Processing, Cognition, and Perception in Foreign Policy Decisionmaking* (Stanford: Stanford University Press, 1990), 241-246, 256-259.

¹¹² PRO: FO371/100634/NL1351/163, FO minute, 16.10.1952. FO371/100634/NL1351/170, Greenway to Hohler, 20.10.1952.

¹¹³ PRO: FO371/100634/NL1351/180, Hohler minute, 28.10.1952.

¹¹⁴ PRO: FO962/21, FO to Reykjavík, 20.11.1952 and 11.12.1952.

¹¹⁵ PRO: CAB129/56, C(52)357, Eden memorandum, 23.10.1952. CAB128/25, CC(52), 90th meeting, 28.10.1952.

international law'.¹¹⁶ Aware of this attitude, the Cabinet had admittedly suggested as well that the dispute be discussed at the Overfishing Commission, the international committee on fishery conservation.¹¹⁷ In early November, the Icelandic government stated its willingness to do so, while maintaining the present fishing limit. Anthony Nutting, who bore the brunt of talking with the Icelanders, confirmed that this pledge would satisfy the British authorities. On November 12, he informed the House of Commons that an agreement had been reached with Reykjavík, only to find out the day after that the trawler owners and the skippers would not back down.¹¹⁸ Undeniably, ultimate decision-making in the conflict had moved to Humberside and, faced with deadlock, the Icelandic owners tried to test the ban. On November 19, after complex preparation by their agent, a trawler landed her catch in Grimsby. The Trawler Officer Guilds in Grimsby and Hull immediately went on strike, however, and declared that their members would not sail unless they received guarantees that no more Icelandic vessels would be allowed to sell their catches. The Fish Merchant Associations in the two ports, fearing loss of revenue and facing pressure from the trawler owners, concurred, as did their colleagues in Fleetwood and Aberdeen. The strike was promptly called off.¹¹⁹

The Icelanders were in for a harsh winter. They had miscalculated, placed too much trust in British tolerance and found it improbable that the stakes would be raised to this level. They were certainly shocked. When Benediktsson rejected the suggestions about negotiations between trawler owners over fishing limits, he also insisted that 'short of a declaration of war by Great Britain he could conceive no more unfriendly act



Figure VI. 'Grimbarians on guard for vessels from Iceland'. The BTF and the Grimsby Trawler Officer Guild on the lookout for Icelandic trawlers, holding the British 'Lion' on leash.

¹¹⁶ TH1-URN: 1996-B/63-3 15.D.001.4, Benediktsson memorandum, 6.11.1952.

¹¹⁷ PRO: CAB129/56, C(52)357, Eden memorandum, 23.10.1952. CAB128/25, CC(52), 90th meeting, 28.10.1952.

¹¹⁸ PRO: FO371/100635/NL1351/210, Nutting to Eden, 13.11.1952.

¹¹⁹ Grimsby Fishing Vessel Owners' Association [henceforward GFVOA]: Council meeting, 24.11.1952.

than that Her Majesty's Government should stand by while such a ban was imposed'.¹²⁰ While neither he nor other Icelandic spokesmen would show British officials any signs of weakness, Hans G. Andersen confessed to the Norwegian Minister in Reykjavík that the government was deeply pessimistic about the prospects.¹²¹ After all, in the first nine months of 1952, over 80% of iced fish exports from Iceland went to Britain.¹²² The economic weapon seemed to be working, therefore. But was it perhaps too powerful?

The landing ban's legality was at best dubious. The trawler owners were within their right when they rejected the use of their equipment. On the other hand, the block pressure from them and the Trawler Officer Guilds, which forced the merchants to refuse fish from the Icelanders, was out of bounds. In Grimsby, solicitors said so to the owners and advised them to disguise the coercion by claiming that they were threatening to boycott the fishmongers 'on a personal basis'.¹²³ Yet, the distinction was hardly visible. Officials at the Board of Trade and the Foreign Office concluded that the sanctions probably contravened Britain's treaty obligations and domestic laws on 'criminal conspiracy'.¹²⁴

The strategic damage might also be severe, or so it could be claimed. In early December, Ólafur Thors was again in London and now that the prospective dispute had turned into a crisis, he easily managed to meet Anthony Eden. The Icelandic message was simple: if the landing ban continued, Communist claims about British perfidy would gain ground and Western co-operation could severely suffer. 'Eden was a bit shaken', Thors later said.¹²⁵ That, of course, was the intention and a few days before, more regular Iceland-watchers in the Foreign Office had wryly described rumours about a Communist take-over in the country as a clumsy attempt to 'make our flesh creep'.¹²⁶ Even so, there was just cause for concern. While Eden realised that the landing ban would not lead to an outright *putsch*, the Western wisdom at the time was that Communists were patient and cunning, particularly benefiting from economic instability. Moreover, American unease could always be detected. Thors went from London to Paris, delivered a fiery speech at the OEEC about the landing ban and then

¹²⁰ PRO: FO371/100635/NL1351/195, Greenway to FO, 6.11.1952.

¹²¹ UD: 31.11/60/III, Rysst to Foreign Ministry, 24.11.1952.

¹²² BEA: OV35/9, Siepmann minute, 22.1.1953. On the damage of the ban, see also Sturla Pálsson, 'Edli vidskiptahafta og afleiðingar theirra', in Einar Benediktsson (ed.), *Upphaf Evrópusamvinnu Íslands* (Reykjavík: Althjódamálastofnun Íslands, 1994), 151-154.

¹²³ GFVOA: Council meeting, 24.11.1952.

¹²⁴ PRO: FO371/100639/NL1351/285, Muskett to Simpson, 11.12.1952. FO371/100639/NL1351/291, Fitzmaurice minute, 12.12.1952.

¹²⁵ Johannessen, *Ólafur Thors II*, 187.

¹²⁶ PRO: FO371/100638/NL1351/264, Hohler and Mason minutes, 4.12.1952.

raised the matter at a ministerial meeting in the North Atlantic Council. The agitation did not bring immediate results but General Alfred Gruenther, Supreme Commander of NATO forces in Europe, still told Eden at a dinner party that he ‘must do something about this’.¹²⁷

Another facet of the national interest also appeared. The Icelanders hinted at retaliation by banning British imports. Although they were relatively insignificant, a number of firms could be hit.¹²⁸ A noteworthy example was Burton’s Gold Medal Biscuits in Blackpool. Its managers, anxious about possible repercussions from the landing ban, persuaded their constituency MP to seek assurances in the Foreign Office that ‘their interests as exporters of biscuits to Iceland are not being disregarded’.¹²⁹ Auxiliary commerce in the fishing ports could also suffer, as the Icelandic trawlermen bought repair supplies and luxury goods to import or smuggle back home—and taxi drivers, restaurateurs and publicans would miss good customers.¹³⁰

Furthermore, catches off Iceland in July, August and September 1952 were actually higher than in the corresponding period the previous year. The devastation, which the industry had gloomily forecast, had clearly not come about and the good catches had ‘wrecked’ the industry’s case, it was murmured in the Foreign Office.¹³¹ The economic motives behind the sanctions were exposed and Kenneth Younger, the Labour MP for Grimsby and no friend of the Conservative-voting owners, felt that they were, ‘as usual ... playing their own game to the exclusion of every other interest’.¹³² This had to be an objectionable aspect of the ‘detachment’ approach. The trawling industry was partly fighting for a goal which actually harmed the government’s aims, and the consumers of cod, haddock and halibut came to have a say in the definition of Britain’s ‘national interest’. In Parliament, Bessie Braddock, Younger’s colleague on the opposition benches, demanded immediate action so the ‘housewives of this country may obtain the fish’. Barbara Castle spoke in similar vein and calls were even made about requisitioning trawlers or sending troops to the docks.¹³³ The Ministry of Food, primarily interested in adequate food supplies, did observe that the authorities could

¹²⁷ Johannessen, *Ólafur Thors* II, 198. Also NARA: RG59/740B.022/10-2152, Lawson to Washington, 21.10.1952, and Ketill Sigurjónsson, ‘Skjölin í Flórens’, in Einar Benediktsson (ed.), *Upphaf Evrópusamvinnu Íslands* (Reykjavík: Alþjóðamálastofnun Íslands, 1994), 77-78.

¹²⁸ PRO: FO371/100635/NL1351/195, Greenway to FO, 6.11.1952.

¹²⁹ PRO: FO371/100634/NL1351/185, Low to Nutting, 23.10.1952.

¹³⁰ On the smuggling, see Prime Minister Hermann Jónasson’s interview with G.A. Ronning, Canada’s Ambassador to Iceland. NA-CAN: RG25/6113/50373-40-1, Ronning to Ottawa, 9.10.1956. For the ‘auxiliary’ industries in Britain, see *Daily Express*, 19.10.1959.

¹³¹ PRO: FO371/100637/NL1351/250, Armstrong to Faber, 1.12.1952, and Armstrong minute, 10.12.1952, Also ADM306/1, extract from Fishery Protection report, 1.12.1952-31.3.1953.

¹³² Kenneth Younger diary, 28.10.1952. In possession of Samuel Younger, London.

¹³³ *Hansard*, Vol. 507, cols. 2060-2064, 20.11.1952. Vol. 508, cols. 39-40, 24.11.1952.

step in and buy Icelandic catches. They also had the power, in dire circumstances, 'to direct persons to specified services or to remain in specified employment'.¹³⁴ Thus, the fear of 'fish famine', as the *Daily Herald* cried at one stage, worked against the industry.¹³⁵ And if that was not worrying enough, the ban still just did not look likely to produce the desired result. In London in December, Thors reassured both Eden and Whitehall officials that the Icelanders would never yield to pressure, for they were completely united and possessed both the law and 'moral right' on their side.¹³⁶

What could be done, then? The disadvantages of 'detachment'—strategic, economic, moral, legal and effectual—were increasingly visible. Yet another re-representation of the problem would have to take place and at the end of 1952, a new policy began to be emerge. On December 18, the Cabinet was served with the most important facts on the latest developments, as seen from the Foreign Office, and invited to make a decision.¹³⁷ It took a series of meetings up to the spring of next year to reach a conclusion.¹³⁸ Mostly, the same ground was repeatedly covered and, unsurprisingly, the debate was convoluted, options divided and the final outcome ambivalent, in the finest tradition of British indecision-making on territorial waters after the Second World War.

While Ministers acknowledged all the detriments of the landing ban, they were still impressed with its ostensible benefits. For one thing, it would deter the Faroe Islanders and others from following Iceland's example.¹³⁹ Government pressure to lift the ban would also have been sharply condemned on Humberside and direct intervention, as Braddock and Castle had mentioned in Parliament, was only conceivable if a 'national emergency' of some kind was imminent.¹⁴⁰ Besides, the declared inability to remove the sanctions was part of the government's approach, just like the Icelanders used the strength of the 'Communists' to explain their own lack of manoeuvre. But the Cabinet was not ready to escalate the conflict either and Thomas Dugdale, Minister of Agriculture and Fisheries, deemed 'unthinkable' the employment of

¹³⁴ PRO: MAF209/749, undated minute, from late November 1952. Also undated Ministry of Food minute from same period.

¹³⁵ *Daily Herald*, 20.11.1952. Also Thór, 'Extension', 41.

¹³⁶ PRO: FO371/100638/NL1351/280, Hohler to Greenway, 15.12.1952.

¹³⁷ PRO: CAB129/57, C(52)444, Eden memorandum, 17.12.1952, and C(52)447, Churchill memorandum, 17.12.1952.

¹³⁸ PRO: CAB128/25, CC(52), 90th meeting, 18.12.1952 and 108th meeting, 30.12.1952. CAB128/26, CC(53), 2nd meeting, 14.1.1953, 16th meeting, 3.3.1953, 23rd meeting, 26.3.1953, 24th meeting, 1.4.1953, and 31st meeting, 14.5.1953.

¹³⁹ PRO: CAB128/25, CC(52), 90th meeting, 18.12.1952.

¹⁴⁰ Nutting emphasised this in talks with Jónsson in London. See Jónsson manuscript. Also PRO: FO371/100637/NL1351/244, Hohler minute, 26.11.1952.

the Royal Navy in the disputed waters.¹⁴¹ A referral of the whole dispute to the International Court was also dismissed because Britain would almost certainly lose on both the four-mile extension and the use of baselines.¹⁴² Yet Ministers could not consciously pretend that a simple prolongation of the dispute would make all well and good.¹⁴³ After much deliberation in the Foreign Office, a solution of sorts was discovered: a referral to The Hague of only the dubious Faxe-Bay delimitation.¹⁴⁴ On January 14, 1953, the Cabinet accepted this compromise,¹⁴⁵ and in mid-February the Icelanders did so as well, but on condition that the ban be lifted when agreement had been reached on the exact terms of the submission. In the meantime, the new limit would apply unchanged, as had been the case in the Norwegian dispute.¹⁴⁶

The trawlermen, however, would only revoke the ban if the Icelanders were prepared to modify the four-mile limit. This Catch-22 proved insoluble and the summary by E.A. Hitchman, the Permanent Secretary at MAF, was frank but fair: 'Ministers will therefore have to admit that a reference to an International Tribunal which they themselves regard as desirable and proper is being frustrated by a combination of private vested interests in this country'.¹⁴⁷ Although Eden joined Dugdale at a heated meeting with owners, trawler officers and merchants on March 25, the determination was unchanged. The ban was their 'trump card', said one of the skipper representatives, and it should not be wasted on a mere modification of the Faxe-Bay line alone.¹⁴⁸ In a way, the trawlermen were also saying that the stalemate was not their problem. '[T]his was a matter that could only be settled at government level', said a general meeting of the Grimsby trawler engineers in April.¹⁴⁹ And that was that, apart from another half-hearted decision to involve the Overfishing Commission which was bound to fail.¹⁵⁰ In effect, Britain's stand was decided on Humberside and when Parliament discussed the state of the dispute again in mid-May 1953, the Labour MP George Brown revelled in the government's dilemma:

¹⁴¹ PRO: CAB129/58, C(53)4, Dugdale memorandum, 5.1.1953.

¹⁴² PRO: FO371/106344/NL1352/11, FO minute, 6.1.1953. CAB128/26, CC(53), 2nd meeting, 14.1.1953.

¹⁴³ PRO: CAB129/57, C(52)444, Eden memorandum, 17.12.1952. CAB129/58, C(53)16, Eden memorandum, 13.1.1953.

¹⁴⁴ PRO: FO371/106344/NL1352/11, FO minute, 6.1.1953. FO371/106344/NL1352/13, Fitzmaurice minute, 6.1.1953.

¹⁴⁵ PRO: CAB129/58, CC(53)2, Eden memorandum, 13.1.1953. CAB128/26, CC(53), 2nd meeting, 14.1.1953.

¹⁴⁶ PRO: FO371/106344/NL1352/6, Nutting minute, 5.1.1953. FO371/106346/NL1352/59, Nutting minute, 18.2.1953. ThÍ-URN: 1996-B/63-3/15.D.001.4, Jónsson to Reykjavík, 19.2.1953.

¹⁴⁷ PRO: MAF209/750, Hitchman note, 23.3.1953.

¹⁴⁸ PRO: FO371/106348/NL1352/102, MAF note, 25.3.1953.

¹⁴⁹ Modern Records Centre, University of Warwick [henceforward MRC]: MSS.126/GE/1/5I, GSFVEFU general meeting, 12.4.1953.

¹⁵⁰ PRO: CAB130/84, ministerial meetings, 23.3.1953.

Is it not absolutely intolerable that since the government proposed reference to the International Court, and since the Icelandic government were prepared to accept the proposal if the *status quo* were restored, Her Majesty's Government have merely said that since the trawler owners will not accept it, we can do no more?¹⁵¹

The criticism was justified. To all intents and purposes, the British government had capitulated before this fine kettle of fish. A few days earlier, on May 11, Selwyn Lloyd told the Cabinet that a 'complete impasse' had been reached, producing the conclusion that 'no further initiative' would be taken.¹⁵²

This proved an easy course to observe. The decision-makers in London did not welcome the state of the dispute but neither did they feel that they should back down for the sake of a solution. Although the 'Not-My-Problem' approach had been unsuccessful, it was not replaced by an active strategy. The decision to do nothing now was mainly a wistful rejection of realities which could perhaps be called the 'Make-It-Go-Away' approach. Essentially, the difference between that line and the preceding 'Not-My-Problem' view was very superficial because the determinants of British policy, which had been evident at the beginnings of the dispute in January 1952, were more or less intact.

To begin with, the importance of domestic politics in the formation of foreign policy had been reinforced. The last word was always on Humberside, not in London. Likewise, wishful thinking continued and it is indeed astonishing to note that not once in the voluminous government files on the dispute in 1952 and early 1953 does a high-placed official or Minister suggest that Britain should accept the new limits off Iceland with good grace and order the industry in no uncertain terms to call off a disputable boycott. Only Greenway demurred and in January 1953 he was replaced. His successor, James Thyne Henderson, had clearly been briefed about the need to stand up to the Icelanders. In his first interview with Foreign Minister Benediktsson, he denied that a landing 'ban' was in force in Britain. The merchants had simply decided not to buy fish which was caught by Icelanders and their taste would only change if the rulers in Reykjavík were reasonable.¹⁵³ This was a 'a stiff character', they concluded and

¹⁵¹ *Hansard*, Vol. 515, cols. 2079-2080, 20.5.1953.

¹⁵² PRO: CAB129/61, C(53)153, Lloyd memorandum, 11.5.1953. CAB128/26, CC(53), 31st meeting, 14.5.1953.

¹⁵³ PRO: FO371/106346/NL1352/63, Henderson to Eden, 20.2.1953.

Henderson's lecture was well received in London.¹⁵⁴ The messenger was bringing the 'right' news. Yet, the new, enthusiastic Minister quickly came to deplore that the authorities in London were so inactive in the dispute, expressing the hope that if 'we could be a jump ahead of events for once instead of several jumps behind, we might wheedle [the Icelanders] into a right direction'.¹⁵⁵

The main difference between British decision-making, pre-ban and post-ban, probably lay in the increased attention to the dispute. Then again, it could be argued that ignorance still prevailed but that it was just exercised at higher levels. The Icelanders succeeded in seeing Anthony Eden but found him quite unfamiliar with some basic facts of the conflict,¹⁵⁶ and during the Cabinet debates, Churchill demonstrated his conservative thinking by discounting the strategic dangers of sanctions. He more or less declared that for the British people, who had for centuries relied on the outside world for their maintenance, unrestrained access to distant fishing grounds mattered more than Iceland's presence in the Atlantic Alliance.¹⁵⁷ Engagement at the highest levels did not do much good, therefore. Furthermore, despite all the negative aspects of the coercion on Humberside, no *crisis* occurred. Between the two evils of ban or no ban, the former was more tolerable because it was the existing state of affairs and as observers of foreign policy have remarked, 'the reappraisal of general principles occurs only in the face of great pressure'.¹⁵⁸

And surely even the 'stubborn and uncompromising' Icelanders might soon give in? Commitment is valuable, yet it does not suffice if the obstacles are insurmountable. At the start of 1953, officials in Reykjavík claimed that 'the ban causes us considerable difficulties but these are not catastrophic'.¹⁵⁹ Instead of fish being iced for Britain, the catches were frozen, dried or salted, and new outlets were sought (by a stroke of luck, a gap had opened in the Italian stockfish market).¹⁶⁰ In the long run, however, the Icelandic claims about alternative markets were, in the words of Siepmann at the Bank of England, 'for the most part bluff—or merely whistling to keep their courage up'.¹⁶¹ In the spring of 1953, the trawling industry, the real hub of British power, was equally

¹⁵⁴ Foss interview, 5.9.2002. PRO: MAF209/750, Dugdale minute, 20.2.1953.

FO371/106346/NL1352/63, Mason, Hohler, Strang and Nutting minutes, 2.-3.3.1953.

¹⁵⁵ PRO: FO371/106350/NL1352/159, Henderson to FO, 27.6.1953.

¹⁵⁶ THÍ-URN: 1996-B/63-3 15.D.001.3, Jónsson to Reykjavík, 11.10.1952.

¹⁵⁷ PRO: PREM11/1328, J.R.C. minute, 16.12.1952. MAF209/750, Wall Minute, 17.12.1952.

¹⁵⁸ Michael Brenner, quoted in Jeffrey Pickering, *Britain's Withdrawal from East of Suez. The Politics of Entrenchment* (Basingstoke: Macmillan, 1998), 38.

¹⁵⁹ SSÍ-IBRD: Eiríksson to Stevenson, 3.1.1953.

¹⁶⁰ Jónsson, *Friends*, 62.

¹⁶¹ BEA: OV35/9, Siepmann minute, 22.1.1953

convinced that the coercion would work in the end.¹⁶² And it is true that the Icelanders would have been subdued—if they had stood alone. But the trawlermen were no match for the outsiders who now rushed to Iceland's rescue: the 'Cockney millionaire', the Kremlin and 'Uncle Sam'.

¹⁶² PRO: MAF209/750, Wall minute, 12.3.1953.

2.4. Any Port in a Storm. The Failure of Economic Coercion, 1953-54

During attempts at prolonged coercion, the side under pressure must rely mostly on two factors: lasting commitment and credible alternatives.¹⁶³ They often complement each other. The determination to withstand the pressure may be so strong that otherwise objectionable ways out are accepted; any port in a storm as the saying goes. And the relief which comes with the detection of escape routes increases the commitment. By the summer of 1953, after almost a year of the landing ban, the Icelanders remained as firm as ever. At this stage, however, no false courage was involved. The reliance on the British market was rapidly vanishing, thanks to Iceland's sundry saviours.

The first one came out of the blue. For a while, the infamous 'cockney millionaire' George Dawson came to play a prominent role in Anglo-Icelandic relations. Having begun his business life as a scrap merchant, he was jailed for fraud in the late 1930s but amassed a great fortune after the war by suspicious trading in surplus army goods.¹⁶⁴ In early 1953, Dawson, detecting a way to make a healthy profit, sensationally offered to buy Icelandic catches and get the fish to the needy 'housewife', either through established merchants or on his own. In Reykjavík, the authorities liked the idea of outwitting the owners and the trawlermen. Still, they were wary of Dawson's reputation. The Icelandic trawler owners were therefore allowed to decide themselves if they wanted to strike a partnership with him. On May 10, after lengthy negotiations, an agreement was signed. During the traditional summer break, Dawson bought processing facilities in Grimsby and prepared for landings by autumn.¹⁶⁵

This initiative got a mixed response in London. While it is true, for instance, that Thomas Dugdale had earlier tried to persuade the industry to lift the ban, he now revealed how half-hearted those efforts had been, mentioning the real 'danger' that the embargo might be circumvented.¹⁶⁶ On Humberside, the first landings for Dawson were repeatedly postponed because of disagreements between him and the Icelandic trawler owners about financial guarantees.¹⁶⁷ Finally, on October 14, the trawler *Ingólfur*

¹⁶³ David Vital, *The Inequality of States. A Study of the Small Power in International Relations* (Oxford: Clarendon Press, 1967), 99.

¹⁶⁴ *Daily Mail*, 9.3.1953. PRO: FO371/106347/NL1352/93, Hohler minute, 20.3.1953. J82/108/3, Dawson defence at Old Bailey trial, 10.3.1959.

¹⁶⁵ THÍ-URN: 1996-B/63-3/15.D.001.5, Benediktsson memorandum, 17.3.1953. Sigurdsson, *Sókn*, 224-240.

¹⁶⁶ PRO: FO371/106347/NL1352/84, FO minute, 13.3.1953.

¹⁶⁷ Sigurdsson, *Sókn*, 240-245.

Arnarson brought her catch to Grimsby, under police guard on the docks.¹⁶⁸ Six other landings took place before the end of the year but by then the flaws in Dawson's plan had caught up with him. He was unhappy about the terms with the Icelanders. The owners blacklisted merchants who bought fish through him,¹⁶⁹ and it turned out that he could neither process nor distribute the catches effectively himself. The Icelanders ceased to sail when he defaulted on payments. Bitter lawsuits ensued but George Dawson disappeared from the main stage, after less than a year in this fishy business.¹⁷⁰ His downfall was of course welcomed on Humberside, while the detached observers in Whitehall did not really care. Given the choice, the Foreign Office would have liked the effort to succeed whereas Fisheries Secretary Wall estimated that the British position had been strengthened by Dawson's failure. But the net result was that the situation remained unchanged.¹⁷¹ For Iceland, however, that outcome spelt no disaster. As one way out had been shut, others had appeared.

In 1946, the 'Innovation regime', having embarked on the great expansion of freezing plants all over Iceland, needed new markets for frozen fish. The British did not need to increase their purchases and the Americans were hesitant. Instead, the Soviet Union stepped in and reached a favourable agreement with the Icelanders. Political considerations obviously influenced Soviet thinking. Pro-Moscow Socialists were in power in Reykjavík and Iceland was still unaligned. By 1948, however, the Icelandic comrades were in opposition and Marshall-money was about to transform the economy. Soviet-Icelandic commerce vanished again.¹⁷²

Much had changed again five years later. Overall, the Soviet Union seemed willing to increase economic ties with the West, especially after Stalin's death in March 1953. The following month, Soviet officials attended a meeting of the Economic Commission for Europe, a United Nations organisation which had been arranged to promote trade between East and West. Cold war suspicions ruled out a significant change in international commerce but the Soviets proved very interested in talks about resumed links with Iceland, even if 'capitalistic monopolies' predominated in the

¹⁶⁸ PRO: MAF209/1243, District Inspector report, 15.10.1953.

¹⁶⁹ GFVOA: Council meeting, 15.10.1953.

¹⁷⁰ Sigurdsson, *Sókn*, 246-253. *Daily Express*, 11.12.1953.

¹⁷¹ BA-BML: B116/13306, Schlange-Schöningen to Bonn, 29.10.1953. PRO: FO371/106353/NL1352/296, Statham minute, 15.12.1953. MAF209/1475, Wall minute, 16.12.1953.

¹⁷² Thorsteinsson, *Útanríkishjónusta* I, 463-473.

economy.¹⁷³ Further negotiations took place in the summer and in August, an extensive barter agreement was signed in Moscow. The Icelanders traded frozen fish and herring for oil, primarily, but also various industrial and agricultural products.¹⁷⁴ For Iceland, the blessing of the deal was obvious. Even if it remained desirable to sail with iced fish to Humberside, the reliance on the British market was greatly diminished.

The new dimension to the conflict could not but cause concern in London, if only because the treaty hurt economically. Shell and the Anglo-Iranian Oil Company had enjoyed a share of the petroleum market in Iceland and in the summer of 1953, representatives from these firms alerted officials from the Ministry of Fuel of Power about the Icelandic talks in Moscow. The conclusion was quickly reached that the landing ban was to blame for this unfortunate development.¹⁷⁵ Iceland's oil consumption was of course insignificant but all losses hurt in the long run and Harry Hohler warned Wall at the Fisheries Department that the action in the fishing ports was beginning to 'damage seriously other British interests'.¹⁷⁶ And the threat now was about more than Burton's Biscuits in Blackpool.

Weightier, still, were the strategic ramifications. Although the trade pact with Iceland made some economic sense in Moscow (spiced herring became extremely popular, for instance), political considerations were paramount, just like they had been in the first years after the war. The Soviet leadership aimed to increase support for the Icelandic Socialists and drive a wedge between Iceland and the Atlantic Alliance.¹⁷⁷ The 'peaceful Soviets', as Henderson told Hohler in November, had rescued the Icelanders from British coercion and accumulated a large share of Iceland's foreign trade.¹⁷⁸ The analysis was 'depressingly plausible', it was noted in the Foreign Office.¹⁷⁹ At the same time in Reykjavík, the envoy Igor Sysoev reported to Moscow that the trade agreement 'should increase both the popularity of the Soviet Union and negative feelings over the

¹⁷³ Foreign Policy Archive of the Russian Archive [henceforward AVPRF]: 96/10/73-90, Sysoev to Moscow, 23.3.1953. Thorsteinsson, *Utanríkisthjónumsta* I, 486-490. SSÍ-DÓP: Ásgeirsson memoranda, 8.4.1953 and 14.5.1953.

¹⁷⁴ Thorsteinsson, *Utanríkisthjónumsta* I, 490-491.

¹⁷⁵ PRO: FO371/106341/NL11338/1, Gummer to Statham, 26.6.1953. FO371/106341/NL11338/3, FO note, 10.7.1953.

¹⁷⁶ PRO: MAF209/1476, Hohler to Wall, 15.8.1953.

¹⁷⁷ Jón Ólafsson, *Kæru félagar* (Reykjavík: Mál og menning, 1999), 165-166, 169, 172. Ólafsson researched Soviet documents in Moscow and his conclusions are undoubtedly sounder than those of Icelandic officials who were involved in the Soviet negotiations. They have downplayed the political aspect and argued that business reasons mattered most in Moscow. See Thorsteinsson, *Utanríkisthjónumsta* I, 490, and Ólafsson, *Saga*, 87. Also Gústaf Adolf Skúlason, 'Vidskipti Íslands og Sovétríkjanna. Pólitískt ferli?' (BA thesis, University of Iceland, 1992), 26-28.

¹⁷⁸ PRO: FO371/106341/NL11338/8, Henderson to Hohler, 27.11.1953.

¹⁷⁹ PRO: FO371/106341/NL11338/8, Hurd minute, 11.12.1953.

American occupation'.¹⁸⁰ The following summer, Soviet goods were visible everywhere on the island, as foreign journalists chillingly reported from the 'Cold War front':

Iceland, vital link in the NATO chain of defence, with the largest United States air base in the North Atlantic, ... has entered into closer economic relations with Russia than any country this side of the Iron Curtain. In Reykjavík I saw more Hammers and Sickles than Stars and Stripes, more Russian diplomats than British.¹⁸¹

The mood of the time must be kept in mind: the anxiety, uncertainty and fear over Soviet intentions. In the minds of strategists in Washington, military facilities in Iceland remained vital and the reappearance of American troops in 1951 had demonstrated that the authorities in Reykjavík agreed on the need to take part in Western defences. The base in Keflavík also provided much wanted currency and employment. Yet the Icelandic public never liked the foreign presence and by late 1953, American officials expressed considerable worries about the steadily deteriorating attitude towards the United States and NATO.¹⁸² And that is where the third 'saviour' of Iceland stepped in. The Soviet agreement was not least important, as an Icelandic fisheries official later put it, 'to tease the Americans'.¹⁸³

The Red Flags are flying near a vital

NATO base

MOSCOW WOOS

ICELANDERS

And drops hint about

US airfield

Effect of fish ban by

Hull and Grimsby

From our special correspondent, HAROLD CHAMPION,
just back from Iceland

HISTORY OF THE

DISPUTE

In March, 1952, Iceland dropped the three-mile boundary of territorial waters and adopted a four-mile limit from point to point.

In May of the same year the British Foreign Office protested, pointing out that the regulations would exclude British fishing vessels from large areas where they had been accustomed to fish for more than half a century.

Iceland refused to reconsider the new regulations, and in June Britain, in a new Note, reserved

Figure VII. A chilling report from the Cold War front, 1954.

¹⁸⁰ AVPRF: 96/10/29, Sysoev to Moscow, 16.12.1953.

¹⁸¹ Harold Champion, 'Moscow woos Icelanders', *Yorkshire Post*, 23.7.1954. Also T.F. Thompson, 'Iceland is part of the Cold War front now', *Daily Mail*, 27.8.1954.

¹⁸² NARA: RG59, Bureau of European Affairs, Office of European Regional Affairs, Political-Military Numeric Files, 1953-62, Box 1, Merchant to Raynor, 25.11.1953. Also Ingimundarson, *Struggle*, 32-45.

¹⁸³ Elísson interview, 8.7.2002.

In Washington, the prevailing view on Iceland and fish was simple: the Icelanders would have to be accommodated, not alienated. The mollification had been obvious in 1950 and 1952 when the United States stayed silent on the extensions of Iceland's fishing limit. Similarly, ever since the end of the war the New England fishing industry had been calling for restrictions or increased duty on imported fish, including all products from Iceland. Within the administration, the Treasury agreed but the State Department pointed out that such action would have a devastating effect on Icelandic efforts to increase sales to the United States.¹⁸⁴ The Department of the Navy concurred, using the persuasive argument at the height of the cold war that an import duty would undoubtedly increase the economic dependence of Iceland on Soviet-Satellite trade to the further detriment of the United States position in Iceland'.¹⁸⁵ Predictably, strategic considerations counted for more than local interests. The Icelanders continued to enjoy generous access to the American market and by the mid 1950s the fishermen of New England had grown so displeased that President Eisenhower confessed how he 'wouldn't dare show himself in Gloucester'.¹⁸⁶

The Icelanders continued to receive favourable loans from the United States and international organisations like the International Bank and the IBRD, for instance towards the construction of power plants.¹⁸⁷ They also wanted to build a cement factory, too big to make economic sense and completely state-owned, which went against Western wishes. The authorities in Reykjavík let it be known, however, that Moscow was willing to provide all the necessary credit. Behind the scenes, Socialist leaders in Iceland had indeed outlined ambitious plans about Soviet support for industrialisation in the country.¹⁸⁸ So, a cement loan also came from Washington. The business flaws were acknowledged but '[p]olitical aspects were ... considered paramount'.¹⁸⁹

Unsurprisingly, therefore, the American administration disliked the landing ban in Britain. In June 1954, Hans G. Andersen had stated, in private of course, that if the Icelanders for some reason desperately needed the market in Britain again, they would either expect pressure from the OEEC and NATO to lift the ban or the public might

¹⁸⁴ See Fridrik Pálsson, 'Hugleiding um útflutning Íslendinga á sjávarafurdum á 20. öld', in *Afmæliskvedja til Háskóla Íslands* (Akureyri: Hólar, 2003), 199-200.

¹⁸⁵ Naval Historical Center, Washington, DC [henceforward NHC]: Politico-Military Division, Box 209. Series XXVIII. Iceland. Economic, Thomas to Wilson, 18.5.1955.

¹⁸⁶ Gloucester being one of the biggest fishing ports in Massachusetts. DDE: Ann Whitman File, NSC Series, Box 8, 323rd meeting, 16.5.1957.

¹⁸⁷ See Ingimundarson, *Struggle*, 38-45.

¹⁸⁸ AVPRF: 96/10/9, Pushkin memorandum, 15.10.1953.

¹⁸⁹ SSÍ-IBRD: Paterson memoranda, 11.12.1954 and 21.6.1955.

demand a withdrawal from these organisations.¹⁹⁰ The threat was not tangible but in Washington a risk of this kind could hardly be accepted. The following month, a report for the National Security Council warned that the Icelandic economy depended increasingly on the Soviet Union and the landing ban was causing many Icelanders to question the value of Western co-operation.¹⁹¹ On 22 July, when the Council discussed the problem, President Eisenhower, having already repelled the calls for tariffs on fish from Iceland, asked why the United States did not ‘buy up the entire export of Icelandic fish and give it to some country ... which needed proteins?’¹⁹² This breathtaking idea was never seriously considered, mostly because of the precedent it could set, but the United States did persuade the Spanish and Italian authorities to increase fish purchases from Iceland.¹⁹³ More importantly, however, Britain was repeatedly asked to have the ban removed. American officials did admit that the good principle of narrow territorial waters needed to be defended, but the present orientation of the Icelandic economy was regretful and ‘every effort should be made to change that situation’.¹⁹⁴

Thus, by 1954 the correlation of power in the dispute had drastically changed. Having wrestled themselves out of the trawlermen’s stranglehold, with help from the world’s superpowers, the authorities in Reykjavík no longer worried overmuch about the ban.¹⁹⁵ Although it may appear inappropriate to use theories on war to understand the development of a milder conflict, they do fit the facts. ‘In wars’, Richard Ned Lebow has argued, ‘states gain new information about the “true” power and resolve both of themselves and their adversaries, and their expected utility of war changes in response’. A state that learns that it is stronger ‘makes an upward revision in its war aims’.¹⁹⁶ Iceland’s increased strength certainly made the rulers in Reykjavík less inclined to

¹⁹⁰ NARA: RG59/740B.022/6-454, Reykjavík to Washington, 4.6.1954. For discussions on the landing ban within the OEEC in 1953-54, see Sigurjónsson, ‘Skjölin’, 78-80.

¹⁹¹ DDE, White House Office, OSANSA, Records, 1952-61, NSC Series, Policy Papers Subseries, Box 12, ‘NSC 5426 – Policy Toward Iceland’ 12.7.1954.

¹⁹² DDE: Ann Whitman File, NSC Series, Box 5, 207th meeting, 22.7.1954.

¹⁹³ *FRUS 1952-1954* IV, 1543, ‘Progress Report NSC 5426’, 7.12.1954.

¹⁹⁴ NARA: RG59/740B.022/10-2354, Aide-Memoire, 18.11.1954. Also PRO: FO371/111531/NL1351/67, Matthews minute, 20.8.1954. FO371/111533/NL1351/120, Beeley to Hohler, 29.10.1954.

¹⁹⁵ Apart from the sales of fish products to the Soviet Union and the United States, the Icelanders found new markets in West Africa and Latin America, and almost doubled their sale of salted fish to the Mediterranean. Ólafsson, *Saga*, 83-86. Jónsson, *Friends*, 62-63.

¹⁹⁶ Richard Ned Lebow, ‘The Beginning and End of War’ (review article), *The International History Review*, Vol. 23, No. 2, 2001, 371.

succumb to economic coercion, and as another theory has it, ‘the threat of sanctions without accompanying incentives is an incomplete diplomatic strategy’.¹⁹⁷

Meanwhile, the Soviets were playing on fissures in NATO and the United States wanted Britain to give in. Still, the reproaches from Washington were fairly modest and the problem was, like the American Chargé d’Affaires pointed out in Reykjavík, that the British side felt no ‘real stimulus’ to reach an agreement.¹⁹⁸ No *crisis* had occurred; Britain could continue to ‘muddle through’. Furthermore, the wearied officials in Whitehall could only face so much fish at one time. In the mid-1950s, they had to focus for a while on the Faroe Islands and the Soviet Union, two opponents who—for entirely contrasting reasons—proved much easier to handle than the ‘stubborn and uncompromising’ Icelanders. In that sense, the change must have been welcome and inevitably the hope rose as well that the good example of friendly negotiations would be noticed in Iceland. For if a tolerable compromise could be reached with the Faroese, then maybe the Icelanders could be brought in line?

¹⁹⁷ Michael Graham Fry, ‘Decline, Sanctions, and the Suez Crisis, 1956-1957’, *Diplomatic History* (feature review), Vol. 17, No. 2, 1993, 328.

¹⁹⁸ NARA: RG59/740B.022/9-854, Dillon to Washington, 8.9.1954.

2.5. A False Analogy. Diversion off Danish Dependencies, 1952-55

On March 19, 1952, the same day when Iceland announced her new regulations on a base-line measured four-mile fishing limit, the local assembly in the Danish-ruled Faroe Islands, the *Lagting*, unanimously declared the wish that a similar rule be established there.¹⁹⁹ In May, officials in Copenhagen indicated that they would like to extend limits off Greenland, another Danish dependency.²⁰⁰ This was bad news for the trawlermen and Britain's protection of the narrow three-mile rule. All over the North Atlantic, the seas seemed to be closing in.

The Faroe Islands, a cluster of tiny islands some 200 miles north of Scotland, were inhabited by around 33,000 souls who relied on fish and fish products for 95-99% of their exports.²⁰¹ An economic boom during and after the Second World War had been based on increased sales abroad, especially in Britain, but dark clouds were on the horizon. 'Much of the post-war expansion has been without a sound economic basis', a Bank of England official pointed out in early 1952.²⁰² Although the Faroe Islands were not seen to be of strategic importance in the first years after the war, they greatly increased in value in the 1950s and American officials occasionally expressed concern about a 'possible Soviet interest in gaining a foothold there'.²⁰³ At the same time, the British trawling industry wanted to maintain certain damaging restrictions on Faroese landings in Aberdeen and Grimsby, their main markets.²⁰⁴ In addition, the three-mile treaty from 1901 applied to the Faroes as well as Iceland, but waters around the islands showed signs of overfishing and scientists had recommended at least the temporary closure of two spawning grounds outside the limits.²⁰⁵ In short, the Faroe Islands were in many ways a 'mini-Iceland'.

¹⁹⁹ RA-DEN: 55.DAN.32/I, Brun minute, 6.5.1952. Very little has been written on the Anglo-Danish-Faroese fishing limit negotiations in the early and mid-1950s. See Patursson, *Fiskivinna*, 37-48, and Jørgen Steining, 'Seinna søgan' in *Føroyar I* (Copenhagen: Dansk-Færøsk Samfund, 1958), 255-256.

²⁰⁰ PRO: FO371/100458/ND1352/6, Copenhagen to London, 17.5.1952.

²⁰¹ RA-DEN: 55.DAN31/IX, Kampmann statement, 12.9.1958. Figures are for 1952-56.

²⁰² BEA: OV27/30, Prescott minute, 20.2.1952. Also PRO: FO371/71379/N2065/860/15, Johnston minute, 2.3.1948. Patursson, *Fiskivinna*, 15-32.

²⁰³ NARA: RG59/759B.00/5-355, Battle to Washington, 3.5.1955. Also Sámal Tróndur Finsson Johanes, *Færøerne under den kolde krig* (Tórshavn: Løgmannsskrivstovan, 1999), 67-68. Jákup Thorsteinsson, *Hernadarmál og politikkur* (Tórshavn: Løgmannsskrivstovan, 1999), 58-62, 125-135.

²⁰⁴ Faroese trawlers had to wait up to 48 hours with their catches in the ports, for British vessels took precedence. PRO: MAF209/1469, MAF minute, 3.3.1955.

²⁰⁵ A. Vedel Tåning, 'Report of the Sub-Committee on a Proposed Closure of Certain Extraterritorial Waters off the Faroes', in *Rapp. Et Proc.-Verb., Cons. Internat. Explor. De la Mer*, Vol. 142, 1957, 38-41.

There was one vital difference, however. The Faroes were still ruled from Copenhagen. Having taken the same historical route as the Icelanders, from a free state in the Viking Age to Norwegian and later Danish dominion, a slight majority of the islanders had voted for full independence in a referendum in 1946. After heated debates and consultations with Copenhagen, the end result two years later was a home rule compromise. Foreign affairs remained in Danish hands and the population relied on economic assistance from the mother-country.²⁰⁶ Thus, Britain would not have to deal directly with Faroese politicians over fishing limits but rather with Danish diplomats. And they were certainly different from Ólafur Thors, Hans G. Andersen and all the obstinate Icelanders. To begin with, a deep-rooted passivity characterised Danish foreign policy, based on historical and geographic realities and summarised in the description that ‘Denmark is a little land’.²⁰⁷ Furthermore, the economy relied on British purchases of eggs, bacon and other agricultural products. In 1950, they constituted around 70% of all Danish exports and over half went to Britain. It has in fact been claimed that economic relations between Copenhagen and London resembled ‘a typical colonial dependency’.²⁰⁸ The cultural ties were equally strong. There existed in Denmark ‘a pro-British feeling ... of the greatest cordiality’, wrote the British Council representative in Copenhagen in 1951.²⁰⁹ To sum up, in the words of Paul Mason in the Foreign Office, ‘[i]t is difficult to see how our relations with Denmark can ever basically be anything but good’.²¹⁰

The affinity counted. Despite calls from Tórshavn (the seat of the local government in the Faroes) and some willingness to protect stocks there and around Greenland, the Danes were not going to be troublesome. In late 1952, Count Reventlow, Ambassador in London, reassured Anthony Nutting that under no circumstances would a dispute on

²⁰⁶ See Kirsten Harder, *De Dansk-Færøske Forhold 1945-48* (Odense: Odense University Press, 1979).

²⁰⁷ Uffe Østergaard, ‘Danish National Identity: Between Multinational Heritage and Small State Nationalism’, in Hans Branner and Morten Kelstrup (eds), *Denmark's Policy towards Europe after 1945: History, Theory and Options* (Odense: Odense University Press, 2000), 140. Also Hans Branner, ‘Traditioner og Optioner i Dansk Udenrigspolitik’, in Søren Dosenrode (ed.), *Dansk udenrigspolitik. Rammer og udfordringer ved det 21. årh. begyndelse* (Århus: Systime, for Rådet for Europæisk Politik, 2000), 37-59.

²⁰⁸ Flemming Just and Thorsten B. Olesen, ‘Danish Agriculture and the European Market Schism, 1945-1960’, in Thorsten B. Olesen (ed.), *Independence Versus Integration. Denmark, Scandinavia and Western Europe, 1945-1960* (Odense: Odense University Press, 1995), 130.

²⁰⁹ See Jørgen Sevaldsen, ‘Culture and Diplomacy. Anglo-Danish Relations 1945-1949’, in Jørgen Erik Nielsen (ed.), *The Twain Shall Meet: Danish Approaches to English Studies* (Copenhagen: Department of English, University of Copenhagen, 1992), 10. Also Rasmus Mariager, ‘“Et materialistisk og komfortelskende folk”. Denmark og Storbritannien 1945-47’, in Henrik Dethlefsen and Henrik Lundbak (eds), *Fra mellemkrigstid til efterkrigstid* (Copenhagen: Museum Tusculanums Forlag, 1998), 713-742.

²¹⁰ PRO: FO371/111436/ND1351/10, Mason minute, 15.2.1954.

Icelandic lines arise between Britain and Denmark.²¹¹ Yet the Danes could not be totally inactive. In the Greenlandic case, British trawlermen had struck new fishing grounds in 1951 and the Danish authorities rightly worried that the Icelandic extension would increase interest in the waters off Greenland. In March 1953, they drew a number of short baselines off the island's west coast but sought British comments before they were imposed. In June, Copenhagen accepted a few changes which Britain suggested and Nutting could not but comment that 'I wished the Icelanders had been one quarter as sensible'. All comparisons were unrealistic, however.²¹² Greenland was a true colony, with a population of hunters moving into the modern world under complete Danish rule, and the new line was hardly enforced or respected. Trawlers would fish right up to the icy shore and the crews even enjoyed some salmon fishing in the rivers!²¹³

The more developed Faroe Islanders could not be treated in such a manner. At the end of June 1953, the Danes handed British officials an aide-memoire on a proposed revision of the 1901 territorial waters treaty. A three-mile limit was still foreseen but baselines were introduced and some of them were almost 'Icelandic', as Harry Hohler wrote to Thyne Henderson in Reykjavík. They were both longer than the old ten-mile maximum for bay closures which Britain wanted to prevail in the world and they were drawn between islands, thus turning 'international straits' into 'inland waters'.²¹⁴ Although the Danes would not set obstacles in the way of British warships, the Admiralty was adamant that it was 'vital to preserve rights of navigation through the straits as a matter of principle'.²¹⁵ And while the Faroese grounds provided only about 6% of the total distant water catch, it was high-quality fish. The industry was only willing to accept the most minimal of changes, and it was ready to wield its economic weapon, should the need arise.²¹⁶

On the other hand, the relative modesty of the Danish wishes, as well as their congenial approach and disposition, made a 'give and take negotiation' seem possible.²¹⁷ In December 1953, informal talks took place in London and a draft agreement quickly evolved. Faroese territorial waters would continue to be three miles, drawn from the low-water mark, but a separate fishing limit would be measured from *ad*

²¹¹ PRO: FO371/100459/ND1353/5, Nutting minute, 1.12.1952.

²¹² RA-DEN: 55.DAN.32/I, Reventlow to Nutting, 24.3.1953. PRO: FO371/106181/ND1352/19, Nutting minute, 18.6.1953.

²¹³ *Social-Demokraten*, 9.8.1956.

²¹⁴ PRO: FO371/106182/ND1352/25, Hohler to Henderson, 27.7.1953. FO371/106183/ND1352/34, Hohler minute, 28.9.1953.

²¹⁵ PRO: MAF209/1466, Shawyer to Wall, 29.11.1953.

²¹⁶ PRO: MAF209/1466, Wall minute, 7.7.1953.

²¹⁷ PRO: FO371/106183/ND1352/48, interdepartmental meeting, 16.11.1953.

hoc lines a bit farther out.²¹⁸ At last, British success was within reach in the struggle for the freedom of the high seas. Then, however, hitches appeared. The industry was unhappy with the compromise and insisted that an important demarcation line to the west off the islands must be modified. The arrangement should also be binding for 25 years, the right of British trawlers to mend nets in a few harbours should be guaranteed, and no Faroese trawling should be allowed within the new limit.²¹⁹ In Tórshavn, the *Lagting* majority responded by rejecting the net-mending proviso and calling for guarantees that Faroese access to the British market would not be impeded.²²⁰

So, would a solution fail, primarily because of disagreements over the reparation of fishing nets? '[T]hese Norsemen are difficult people to influence', Jack Ward, Assistant Under-Secretary in the Foreign Office, tiredly noted in the autumn of 1954.²²¹ In local elections on November 6, the separatist and socialist Republican Party tripled its representation in the *Lagting*. Although it remained in opposition, a new coalition in the assembly stuck to the objections on the mending of nets. And on Humberside, the industry was as insistent in its demands.²²² The stand-off was broken, however, because an Anglo-Danish 'diplomatic alliance' emerged, against the 'extremists' in Tórshavn, Aberdeen and Humberside. In Copenhagen, Foreign Ministry Secretary-General Nils Svenningsen reached the conclusion that the British wishes were 'understandable'.²²³ In London, meanwhile, Ward insisted that if the industry were to reject a proposal which the authorities deemed agreeable, then 'the full authority of the government should be invoked to deal with any attempts to place a ban on the import of fish from Denmark and the Faroes or to stage a strike'.²²⁴ Another 'Iceland' would not be accepted. At the final stage, Danish officials persuaded the Faroese coalition that they had to accept a confidential minute on the permission to mend nets in selected harbours,²²⁵ and British officials urged the owners and trawlermen to make do with such an assurance.²²⁶ Another secret addition to the proposed settlement concerned a pledge by the authorities in Tórshavn not to allow local trawling within the new limits, and a firm and solid

²¹⁸ PRO: FO371/106184/ND1352/64, Anglo-Danish meeting, 7.12.1953.

²¹⁹ PRO: MAF209/1467, meeting with industry representatives, 18.2.1954.

²²⁰ RA-DEN: Danish Aide-Memoire, 26.5.1954.

²²¹ PRO: FO371/111440/ND1351/112, Ward minute, 2.9.1954.

²²² RA-DEN: 55.DAN.31/III, Paulson minute, 26.10.1954.

²²³ RA-DEN: 55.DAN.31/III, Svenningsen minute, 12.11.1954.

²²⁴ PRO: FO371/111441/ND1351/149, Hohler minute, 11.11.1954.

²²⁵ RA-DEN: 55.DAN.31/III, Svenningsen minute, 9.12.1954.

²²⁶ PRO: MAF209/1469, industry meeting record, 3.3.1955. FO371/116246/ND1351/41, Ward to Berthoud, 29.3.1955. GFVOA: Council meeting, 1.3.1955.

end of the affair seemed to be at hand, citing an Icelandic news report. 'Is it true?'²³² And after the completion the following year, Henderson could not thrust the good example in the face of the Icelanders because it had barely been mentioned in the local papers. The only other information he had was one short telegram and a press cutting from the *Fish Trades Gazette*.²³³ Thus, the accurate estimate in Whitehall that all the maritime disputes were intrinsically linked did not transform into a coherent policy. Rather, officials continued the 'pragmatic' habit of being against all changes and then tackling one imminent problem at a time, being swept, figuratively speaking, from one whirlpool in the North Atlantic to another. Furthermore, the inert expectation that the Icelanders would be impressed by the Faroese negotiations was not based on a realistic appraisal of their sum and substance. The Faroe Islanders had wanted a proper baseline-measured four-mile limit. They were only dissuaded from that aim by the looming threats of a landing ban and pressure from their Danish masters who were always determined to maintain the friendliest relations with Britain. In Reykjavík, the Anglo-Danish agreement was compared with the 'bacon deal' on territorial waters from 1901.²³⁴ While such claims about a direct link between Jutland pigs and Faroese fish were completely unfounded, the Danes were definitely more committed when it came to agricultural produce, their greatest interest in relations with Britain.²³⁵ As for any effect on the Icelanders, the Foreign Office had to accept in the end that the premise from the Faroe Islands had only stiffened them.²³⁶ The North Atlantic was not a Faroese lake.

As if this was not unpleasant enough, the Faroe Islanders and the Danes also warned that should Iceland force through a better deal for herself than they had acquired through amicable negotiations, then surely the settlement should be revised.²³⁷ Hence, from the British point of view it seemed like only the bad aspects of one settlement in the North Atlantic carried weight elsewhere. Never was this more evident than in the next compromise which Britain had to accept in the northern waters. While the Icelanders totally ignored the British successes against the minuscule Faroe Islanders, they noticed very well the *de facto* retreat against the might of the Soviet Union.

²³² PRO: FO371/111440/ND1351/122, Henderson to Hohler, 7.9.1954.

²³³ PRO: FO371/116248/ND1351/73, Henderson to Given, 8.6.1955.

²³⁴ RA-DEN: 55.DAN31/II, Christensen to Copenhagen, 20.9.1954. PRO: FO371/116443/NL1351/131, Ward minute, 25.5.1955.

²³⁵ PRO: FO371/116241/ND1151/7, Currie to Smith, 18.3.1955. The officials who conducted Anglo-Danish talks on agricultural purchases were never involved in the Faroese dispute.

²³⁶ PRO: FO371/116443/NL1351/131, Ward minute, 25.5.1955.

²³⁷ RA-DEN: 55.DAN.31/V, Oldenburg minute, 6.12.1955.

2.6. 'For once ... the benefit of a little non-public diplomacy'. A Pyrrhic Victory in Soviet Waters, 1952-56.

The powerlessness of Britain in the Barents Sea had been aptly demonstrated in the late 1940s when British trawlers had at one stage stayed completely away from the fishing grounds and the Royal Navy Fishery Protection vessels did not venture inside the Soviet 12-mile limit of territorial waters.²³⁸ Still, the agreement from 1930 which offered Britain limited rights to fish up to three miles from shore remained in force. At the start of 1953, however, Moscow abrogated this arrangement, with effect from summer.²³⁹ British trawling in the Barents Sea seemed to be coming to an end.

As before, considerable interests were at stake. A fishing trip 'up north' would not be as profitable without the excellent plaice grounds inside the 12-mile line.²⁴⁰ Furthermore, a valuable source of clandestine information would be lost, as both the trawlers and the Royal Navy fishery protection vessels continued to take photographs and gather other data 'in the front line of the intelligence war'.²⁴¹ Unsurprisingly, therefore, security concerns lay behind the Soviet denunciation. In October 1952, the Soviet Naval General Staff informed Defence Minister Nikolai Bulganin that many British trawlers 'possess powerful radio transmitters and radar equipment and are basically designed not for fishing, but for intelligence-gathering'.²⁴²

In the Foreign Office, the security motive was acknowledged, along with the fact that when the Soviets made the pre-war agreement they were 'beggars in matters of commerce; now they are choosers, they want to get rid of it'.²⁴³ And there seemed to be precious little which could be done. Whitehall officials dismissed a possible offer of increased trade to sweeten the Soviets. Unless such measures were on a small scale, they could run up against balance of payments considerations, opposition in the OEEC or restrictions on strategic commerce. If they were insignificant—like a promise to buy some vodka as Gwyllim Lloyd-George suggested at the Ministry of Food—the Soviets

²³⁸ See section 1.4, 52.

²³⁹ PRO: FO371/106566/NS1351/2, Gascoigne to FO, 5.1.1953. Very little has been written on the Anglo-Soviet negotiations on fishing and territorial waters in the 1950s. For a summary, see Butler, *Soviet Union*, 61-62.

²⁴⁰ PRO: MAF209/1216, Armstrong minute, 7.1.1953.

²⁴¹ Aldrich, *Hidden Hand*, 523. Also Mason Redfearn (with Richard J. Aldrich), 'The Perfect Cover: British Intelligence, the Soviet Fleet and Distant Water Trawler Operations, 1963-74', *Intelligence and National Security*, Vol. 12, No. 3, 1997, 171-174. PRO: ADM1/28914, 'Fishery Protection Charge Document No. 1', 26.8.1955.

²⁴² *OffMSG* <<http://www.offmsg.connectfree.co.uk/offshelf/offrames.htm>>, accessed 10.5.2002. Yurin to Bulganin, 14.10.1952.

²⁴³ PRO: FO371/106566/NS1351/1, Hohler minute, 16.1.1953.

would not be interested.²⁴⁴ The threat of retaliation was also examined. The Soviet Union did sell some canned fish and caviar to Britain under the terms of a commercial agreement from 1934. This trade was so insignificant, however, that an Iceland-style ban on these imports would be 'a pathetic form of retaliation', as Harry Hohler put it.²⁴⁵ Still, it seemed to be the only possible response. In early March, Selwyn Lloyd advised the Soviet Embassy in London, in a 'friendly tone', that Britain might have to repeal the 1934 treaty if she lost her fishing privileges in the Barents Sea.²⁴⁶

As it happened, no such thing occurred. On June 24, 1953, the Soviet authorities declared that they were satisfied with a one-year extension of the 1930 agreement and in the summer of 1954 they again agreed to such prolongation.²⁴⁷ This was good news for the trawlermen who continued to fish in the northern waters and Sir William Strang, the Permanent Under-Secretary, was elated: 'For once we have had the benefit of a little non-public diplomacy'.²⁴⁸ In other words, the experts had been allowed to discuss, negotiate and reach a friendly solution, free from outside interference. It was classic 'old diplomacy',²⁴⁹ and it was tempting to view the fair accomplishment off the Faroe Islands in similar light. Nils Svenningsen, Strang's counterpart in Copenhagen, belonged to the 'old guard' in the Danish Foreign Ministry and once remarked in the course of the Faroe talks that he thought it 'so much better to deal with such problems by friendly negotiation through the diplomatic channel than in the Icelandic manner'.²⁵⁰

In general, a nostalgic yearning for 'old diplomacy' was misguided. Yaacov Vertzberger has written about this exaggerated faith in diplomatic discussions, or 'the naive belief that the principles of action shared in the subculture are stronger than differences of national interest'.²⁵¹ As for the Soviet case in particular, the positive outcome could not be contributed mainly to the sublime skills of British officials. From 1953, the year of Stalin's death, Anglo-Soviet relations were relatively warm, culminating in the famous 'spirit of Geneva' in 1955, the first peacetime meeting

²⁴⁴ PRO: MAF209/1216, Wall minutes, 21.2.1953 and 25.2.1953. FO371/106566/NS1351/15, Mason minute, 10.2.1953. FO371/106566, Lloyd-George to Eden, 24.2.1953.

²⁴⁵ PRO: FO371/106566/NS1351/1, Hohler minute, 16.1.1953.

²⁴⁶ PRO: FO371/106566/NS1351/29, Lloyd minute, 9.3.1953.

²⁴⁷ PRO: FO371/106567/NS1351/47, Gascoigne to FO, 24.6.1953, and FO371/111739/NS1351/39, Hayter to FO, 3.6.1954.

²⁴⁸ PRO: FO371/106567/NS1351/50, Strang minute, 27.6.1953.

²⁴⁹ See Lord Strang, *The Foreign Office* (London: George Allen and Unwin, 1955), 171-181. A.J.P. Taylor, *Europe: Grandeur and Decline* (Harmondsworth: Penguin, 1967), 364-367, and Svein Sæther, 'Det gamle diplomati. Om utopistens kritikk og realistens streben etter en renessanse', *Internasjonal Politikk*, No. 3, 1974, 625-649.

²⁵⁰ PRO: FO371/116245/ND1351/32, Berthoud minute, 22.3.1955. For Svenningsen, see Viggo Sjøqvist, *Nils Svenningsen. Embedsmanden og politikerens* (Copenhagen: Gyldendal, 1995).

²⁵¹ Vertzberger, *World*, 199.

between the leaders of Britain, the United States and the Soviet Union.²⁵² In this period, a Whitehall meeting on the Barents Sea fisheries correctly estimated that the Soviet leaders might regard the donation of fishing rights as a ‘relatively cheap concession which they can make with a view to gilding their “New Look” policy’.²⁵³ Moreover, British officials disliked the prospect of having to ask for the concession year after year. In the summer of 1955, Britain therefore asked for negotiations on a long-term agreement on fishing in the Barents Sea. These began in Moscow at the end of July, right after the top summit at Geneva. The Soviet negotiators made several references to the improved atmosphere in international relations but were not so agreeable on the actual contents of a new treaty. The areas where trawlers could go up to three miles from shore would be narrowed and the settlement should only run for five years, not at least ten which Britain desired.²⁵⁴ The Soviet Union also refused to concede any fishing rights near the mouth of the White Sea, insisting on a baseline to close it which was longer than the Faxe-Bay line and thus potentially embarrassing for Britain.²⁵⁵

In the course of the negotiations, an agreement was reached on slightly extended fishing zones but Moscow would not budge on other fronts, and when the Fisheries Department warned that the trawling industry would be critical if the final product would not be to their liking, Jack Ward asked, somewhat scornfully: ‘[W]ho is going to get criticised? Soviet govt? Or HMG for not going to war about it?’²⁵⁶ And he emphasised that ‘we should be careful not to become, as it were, prisoners of the British fishing industry’.²⁵⁷ This was not Iceland. ‘The essential consideration in these negotiations’, said the Foreign Office, ‘is that we have no bargaining position and any Russian offer is in the nature of a bonus’.²⁵⁸

In the end, the trawler owners and officers had to accept the limits of British influence.²⁵⁹ On May 25, 1956, a five-year agreement on fishing up to three miles in

²⁵² Richard Bevens and Gregory Quinn, ‘Blowing Hot and Cold: Anglo-Soviet Relations’, in Wolfram Kaiser and Gillian Staerck (eds), *British Foreign Policy, 1955-64. Contracting Options* (Basingstoke: Macmillan, 2000), 209-238. Also Gunter Bischof and Saki Dockrill (eds), *Cold War Respite: The Geneva Summit of 1955* (Baton Rouge: Louisiana State University Press, 2000).

²⁵³ PRO: MAF209/1482, interdepartmental meeting, 6.1.1954. Also FO371/111739/NS1351/33, Hohler minute, 23.4.1954.

²⁵⁴ PRO: FO371/116752/NS1351/54, Anglo-Soviet meetings, 2.8.1955. FO371/116752/NS1351/63, meeting, 10.8.1955, and FO371/116753/NS1351/77, Jellicoe minute, 1.9.1955.

²⁵⁵ PRO: FO371/116753/NS1351/78, FO to Moscow, 6.9.1955.

²⁵⁶ PRO: FO371/116751/NS1351/41, Ward minute, 11.7.1955.

²⁵⁷ PRO: FO371/122901/NS1351/2, Ward minute, 4.1.1956.

²⁵⁸ PRO: FO371/122901/NS1351/8, FO minute, 28.1.1956.

²⁵⁹ PRO: MAF209/1484, Wall to Hohler, 18.1.1956.

certain sections off the Soviet coast was signed in Moscow.²⁶⁰ In public, both officials and the industry's spokesmen put the conclusion in a good light.²⁶¹ Privately, however, they had to admit that, despite a clause on non-prejudice with regard to the general view on territorial waters, Britain had 'gone a long way towards accepting the Soviet jurisdiction over a 12-mile limit'.²⁶² Tacit acknowledgement of the White Sea closure could also be prejudicial. The Canadians were quick to notice, for instance, that it might strengthen their claim to the Gulf of St. Lawrence.²⁶³ It will also be seen that in 1958, when the Icelanders declared a 12-mile limit and Britain responded by naval protection in the disputed waters, they constantly referred to the precedence of the Anglo-Soviet agreement.²⁶⁴

The benefits of the settlement in 1956, whether in terms of fishing or intelligence, were quite costly, therefore. The principle of narrower limits had so obviously been prejudiced and the primacy of power in the maritime disputes had been highlighted. '[W]e negotiated with the Russians', as a member of the Foreign Office



Figure IX. The fishing concessions in the Barents Sea, 1956.

later recalled, 'because we were not strong enough to enforce what we regard to be our right to fish anywhere in the high seas'.²⁶⁵ Then again, the correlation of forces would surely be more favourable in the struggle against Iceland which, in the opinion of many British officials, had not been settled because of Icelandic obstinacy and unreasonableness? In 1955, as the terms of Britain's 'surrender' to the Soviets were being negotiated, a charge against the Icelanders was contemplated in London. The four-mile dispute would soon come to an end.

²⁶⁰ Cmnd. 148, *Fisheries Agreement between [Britain] and the Union of Soviet Socialist Republics* (London: HMSO, 1957).

²⁶¹ *Times*, 26.5.1956.

²⁶² PRO: FO371/122902/NS1351/38, Ward minute, 3.5.1956.

²⁶³ NA-CAN: RG25/8353/10600-J-40-1.1, High Commissioner London to Ottawa, 21.12.1955.

²⁶⁴ E.g. *British Aggression in Icelandic Waters* (Reykjavík: Ministry for Foreign Affairs, 1959), 22.

²⁶⁵ PRO: FO371/134968/NL1351/379, Joy to Gilchrist, 23.6.1958.

2.7. 'Only a Show of Force May ... Bring the Icelanders to Reason'. Iceland, 'Suez' and 'Gunboat Diplomacy', 1955

By late 1954, it was clear that the dispute with Iceland over the four-mile extension two years before would not be solved by concessions in Reykjavík. Previous chapters have demonstrated how negotiations and agreements with the Faroe Islands and the Soviet Union did nothing to deter the Icelanders, and that the landing ban was no longer hurting them. Still, in early 1955, Harry Hohler wrote wishfully to Thyne Henderson that the sanctions and the signs of greater accommodation elsewhere would show 'even the Icelanders ... that unilateral action is not recognised by other countries and merely gets them into trouble'. On which Henderson commented, more realistically: 'What trouble?'²⁶⁶ The stalemate would continue unless Britain retreated or advanced, and as has been discussed, she would only move either way if it were necessary; if a *crisis* occurred. Later in 1955, and again the following year, such incentive seemed to have appeared. With all the appropriate reservations about the limits of historical analogies, it could be argued that a miniature 'Suez' might have happened in the waters off Iceland.

First, there was some hope that a peaceful way out could be found. In November 1954, the OEEC formed an *ad hoc* committee on the Icelandic fishing dispute, under the chairmanship of the Swiss Gérard Bauer. Pétur Benediktsson, Iceland's delegate at the organisation, had periodically complained about the ban and was by this stage waging a 'substantial propaganda campaign', as Fisheries Secretary Wall observed.²⁶⁷ The OEEC-representatives were on the whole convinced freetraders and sympathised with the Icelandic cause.²⁶⁸ Another hope for an end to the affair lay on Humberside. The fishmongers had never been enthusiastic about the ban, preferring competition in prices and supplies. 'The merchants are mad for our fish', Agnar Kl. Jónsson wrote in November 1954,²⁶⁹ and at a heated meeting with the owners a year later they insisted that the ban 'should never have been put on'. Jack Croft Baker of the BTF called them 'dim-witted' but somehow an agreement was reached to wait and see if the OEEC talks would produce a solution.²⁷⁰ In 1955, the Monopolies and Restrictive Practices

²⁶⁶ PRO: FO962/24, Hohler to Henderson, 4.3.1955.

²⁶⁷ PRO: MAF209/1486, Wall minute, 14.10.1954. For a summary of the OEEC mediation in 1954-56, see Sigurjónsson, 'Skjölin', 82-87.

²⁶⁸ THÍ-URN: 1996-B/63-3/15.D.001.9, P. Benediktsson to Reykjavík, 12.11.1954. PRO: FO371/111535/NL1351/164, Harpham to Edden, 24.11.1954. Also Jakob F. Ásgeirsson, *Pétur Ben* (Reykjavík: Mál og menning, 1998), 249-252.

²⁶⁹ THÍ: E.52, Jónsson to Magnússon, 22.11.1954. Also *Times*, 1.11.1954.

²⁷⁰ PRO: MAF209/1489, Williams minute, 13.11.1955. Also *Grimsby Evening Telegraph*, 24.11.1955.

Commission also had a brief look at ‘the boycott’ and found it ‘most unusual’, while a more detailed study would be needed before a judgement on its merits could be made.²⁷¹

Even in Iceland there were positive signs. They were small, it must be said, but in early 1954, Ólafur Thors, now Prime Minister,²⁷² asked Professor Bourquin, the main advocate of Norway’s case at The Hague and an adviser to the Icelanders in 1952, whether some concessions could be offered, for instance the shortening of a few baselines, without damaging Iceland’s principled right to follow the Norwegian example.²⁷³ Most of the country’s trawler companies were operating at a loss, partly because the authorities subsidised the smaller fishing vessels and partly because they missed the British market with its potential for higher prices.²⁷⁴ Moreover, many Icelanders (the Conservatives in particular) grew uneasy over a lasting economic reliance on Moscow, and not completely without reason. At the end of 1953, the first year of the Soviet-Icelandic trade agreement, Igor Sysoev suggested from Reykjavík that the good bargaining position might be used directly to further the Communist cause in Iceland. If the Icelandic authorities were uncooperative, they would be told that the Soviet Union ‘might be forced to reduce or cancel all purchases of fish products’.²⁷⁵ A crude, counter-productive threat of that kind was never made. Still, in late 1955, Pétur Benediktsson confided to W. Harpham, the British representative at the OEEC, his anxiety that the Soviets might try something on those lines: ‘What could Iceland do if the Russians told her to leave NATO, in default of which the Russians would suspend all purchases in Iceland?’²⁷⁶

In short, incentives for a ‘give and take’ solution existed. In February 1955, Britain tried to entice the Icelandic authorities into a dialogue by a personal letter from Winston Churchill to Ólafur Thors, undoubtedly mindful of his grumpiness after the ‘snub’ in London in January 1952.²⁷⁷ Thors was impressed and the Icelandic authorities did contemplate moves to improve the atmosphere, for instance by granting British trawlers permission to seek shelter inside the four-mile limit without their gear

²⁷¹ Cmd. 9504, *The Monopolies and Restrictive Practices Commission. Collective Discrimination: A Report on Exclusive Dealing, Collective Boycotts, Aggregated Rebates and other Discriminatory Trade Practices* (London: HMSO, 1955), 64-66.

²⁷² After elections in June 1953, the Conservative-Progressive coalition remained in power, but Thors became Prime Minister instead of the Progressive Party’s Steingrímur Steinthórsson.

²⁷³ Jónsson manuscript.

²⁷⁴ Thorleifur Óskarsson, *Íslensk togaraútgærd 1945-1970* (Reykjavík: Bókaútgáfa Menningarsjóds, 1991), 196-197.

²⁷⁵ AVRPF: 96/10/29, Sysoev to Moscow, 16.12.1953.

²⁷⁶ PRO: FO371/116446/NL1351/190, Harpham minute, 9.9.1955. Also BA-BML: B116/13057, Oppler to Meseck, 25.11.1954.

²⁷⁷ PRO: PREM11/1328, Eden to Churchill, 5.2.1955. FO371/116439/NL1351/46, Churchill to Thors, 8.2.1955.

completely stowed, as required under present regulations. However, no changes in the fishing limit could be discussed and in the end the Icelanders reached the conclusion that even the non-stowing concession would not be offered, as the British skippers might abuse it and ‘dip’ the trawl inside.²⁷⁸

The problem was that on all sides, the motives for conciliation were weaker than the temptation to ‘toughen it out’. In London, predictably, no crisis meant little attention. In late 1954, Derick Heathcoat Amory, the new Minister in the amalgated Ministry of Agriculture, Fisheries and Food, underlined that ‘[t]he fish problem was one of the least of his troubles’.²⁷⁹ Concerns about the legality or the geopolitical disadvantages of the landing ban were also offset by the seductive calculation that ‘[i]f we withdraw our only bargaining weapon [the Icelanders] may just feel that they have gained complete victory’.²⁸⁰

In Reykjavík, fears over Soviet influence were similarly counterbalanced by the comfort of having escaped from the reliance on the British market. The authorities also remained hostages to their own rhetoric about Iceland’s undisputed right and need for the limits extension. ‘It is typical for Icelandic politics that the authorities tend to excite the population so much through their own propaganda that sensible negotiations become impossible’, the Danish Minister, Bodil Begtrup, pointed out astutely in the spring of 1955.²⁸¹ Both the fish stocks and Iceland’s economy would easily have survived a few changes to the limit—but the Icelandic government might have collapsed. The primacy of domestic politics excluded any notable concessions. It was, in a sense, a ‘disregard for diplomacy’: the antithesis of the classic ‘non-public diplomacy’ which Permanent Under-Secretary Strang had detected behind the successful talks with the Soviets in the same period. On the Icelandic side, Agnar Kl. Jónsson said that he wished to enter into honest negotiations but his arguments carried no weight in Reykjavík.²⁸²

This ‘disregard for diplomacy’ naturally meant that arbitration or adjudication were less likely to lead to a solution. After a series of strenuous meetings at the OEEC up to March 1955, Bauer could only complain that ‘he felt as if he were up against a brick wall. He was in the presence of two parties who would not meet each other’.²⁸³

²⁷⁸ PRO: FO371/116441/NL1351/89, Hohler minute, 8.3.1955.

²⁷⁹ PRO: FO371/111534/NL1351/140, Hohler minute, 15.11.1954.

²⁸⁰ PRO: FO371/116440/NL1351/79, Brown minute, 10.3.1955.

²⁸¹ RA-DEN: 55.ISLAND.1/III, Begtrup to Copenhagen, 5.4.1955. Also PRO: MAF209/1488, Wall minute, 15.3.1955.

²⁸² PRO: FO371/116438/NL1351/30, Hohler minute, 20.1.1955. FO962/24, Hohler to Henderson, 18.3.1955.

²⁸³ PRO: FO371/116441/NL1351/90, OEEC meetings, 10.-11.3.1955.

The talks continued, but a quick result was not in sight. Likewise, neither side really wanted to refer the conflict to the International Court. 'The trouble has been to avoid that path', Wall reminded Hohler in September 1954,²⁸⁴ and the Icelanders, while confident about victory on the present line, feared that it might halt their drive for further extensions. It may be recalled that the *Althing's* Conservation Law of 1948 included the intention to control fisheries above the whole continental shelf, reaching some 50 miles seawards. After 1952, calls for further extensions could therefore be heard in and outside Parliament,²⁸⁵ and as Henderson reported to London in February 1955, Prime Minister Thors assured him that he had no intention of negotiating with the British over the four-mile limit: 'I asked why not, and he said ... that whatever result he got by negotiation would preclude him from doing what he intended to do—to move the fishery limit gradually outwards as occasion offered'.²⁸⁶ In the Foreign Office, Harry Hohler found Thors's utterances alarming enough to notify Jack Ward, the Assistant Under-Secretary. A 'crisis' appeared to be in the making. Thus, a 're-representation' of the problem was again called for, to use the language of decision-making theories. Initially, 'escalation' was the chosen outcome. Ward was as worried as Hohler and concluded 'that only a show of force may in the long run bring the Icelanders to reason'. He alerted the recently appointed Permanent Under-Secretary, Sir Ivone Kirkpatrick, who was equally quick to form an opinion. On March 11, he recommended that if a new extension were announced, 'we should give naval protection to our trawlers'.²⁸⁷ Things were hotting up.

From the implementation of Iceland's new limit in May 1952 to the end of 1956, Icelandic coast guard vessels arrested 15 British trawlers for illegal fishing in waters which Britain regarded as high seas.²⁸⁸ Others got away, even if shots were sometimes fired across bows, and after one such incident, Anthony Nutting could not but comment that the 'Palmerston mantle has clearly fallen on Ólafur Thors!'²⁸⁹ The trawlermen were enraged and demanded that Britain, the old naval power, showed the flag in the disputed

²⁸⁴ PRO: MAF209/1478, Wall to Hohler, 6.9.1954. Also FO371/116438/NL1351/20, Ward minute, 13.1.1955.

²⁸⁵ Ólafsson, *Saga*, 104-105.

²⁸⁶ PRO: FO371/116440/NL1351/71, Henderson to Hohler, 25.2.1955. Also RA-DEN: 55.ISLAND.1/III, Begtrup to Copenhagen, 5.4.1955.

²⁸⁷ PRO: FO371/116441/NL1351/89, Hohler minute, 8.3.1955, Ward minute, 9.3.1955, and Kirkpatrick minute, 11.3.1955.

²⁸⁸ PRO: FO371/135007/NL1352/2, Joy minute, 3.2.1958.

²⁸⁹ PRO: FO371/106354/NL1354/2, Nutting minute, 4.3.1953.

waters.²⁹⁰ At the beginning of 1954, some 400 skippers had signed a petition for naval protection off Iceland.²⁹¹

The strategic, political, legal and moral aspects of such action were at least as dubious as they had been both in the Norwegian dispute and when Thomas Dugdale deemed the use of force against Iceland ‘unthinkable’ in early 1953.²⁹² So it seemed at least to Nutting when he discounted the skippers’ agitation.²⁹³ Consequently, the Kirkpatrick directive was not applauded unhesitatingly in Whitehall. P.D. Nairne at the Admiralty’s Military Branch liaised with the Foreign Office and estimated that a trawler protection flotilla would require at least three fishery protection vessels and two additional frigates on permanent station. In an era of constant cuts, the Royal Navy would be hard put to provide such a presence. And how would the use of force off Iceland compare with the practical acceptance of the twelve-mile limit in the Barents Sea? Moreover, had the effect on Iceland’s attitude to NATO been considered? Ministers should explore all avenues in search of a friendly solution, Nairne concluded, ‘before they consider instructing our ships to sink Icelandic gunboats in defence of our trawlers’.²⁹⁴

Similar whispers of apprehension could be heard at lower levels in the Foreign Office.²⁹⁵ The combative Kirkpatrick was not put off, however, and as Ward commented, Nairne’s cautious response was ‘sadly lacking in the Nelson touch’. The comparison with the Soviet situation could be dismissed, because the ‘fact that we have to submit to pressure from the second largest power in the world is not a reason why we should put up with pressure from one of the smallest’. Likewise, Alliance considerations should not limit British options, because ‘[o]ther NATO countries have shown no disposition to pull chestnuts out of the fire for us’. Besides, Britain would simply be using force in self-defence on the high seas:

The purpose of our demonstration should be to force the Icelanders to take the dispute to arbitration and to behave as a NATO ally should. While there is no legal justification for such action, there are surely common-sense grounds for

²⁹⁰ PRO: MAF209/1475, Captain, Fifth Fishery Protection and Minesweeping Squadron, to Leach, 16.11.1953. Brunskill to author, 28.10.2000.

²⁹¹ *Yorkshire Post*, 26.1.1954. Also Robinson interview, 5.5.2001.

²⁹² See sections 1.2, 34-35, and 2.3, 86-87.

²⁹³ PRO: FO371/111531/NL1351/37, Nutting to Osborne, 9.4.1954.

²⁹⁴ PRO: ADM1/26774, Nairne to Hohler, 9.8.1955. In the best tradition of British understatement, the Admiralty’s Director of Operations was later to remark as well that it might ‘not be tactful to withdraw forces from a NATO exercise to deploy them against a fellow NATO country’. ADM1/26774, Director of Operations Division minute, 29.6.1956.

²⁹⁵ PRO: FO371/116445/NL1351/185, Gutteridge minute, 26.8.1955, and Bushell minute, 9.9.1955.

breaking the law in order to deal with a law-breaker who will not submit to the normal rules.²⁹⁶

In other words, Britain would defend her perpetual interests without regard to legal niceties or capricious allies. Palmerston was haunting the Foreign Office; *Pax Britannica* had not passed. In December 1955, a Cabinet paper about naval protection in case of further extensions by Iceland was prepared. Warships would protect trawlers and ‘take all necessary steps to prevent arrest and to rescue any arrested vessels’.²⁹⁷ Although they were not to open fire unless fired on first, it was quite possible that the Royal Navy would shoot in anger in the North Atlantic for the first time since the Second World War—against an ally in NATO.

This prospect accentuates the constant struggle in British foreign policy during a transitory period of decreasing influence: between accommodation, admission of weakness and interdependence on the one hand, and a stubborn, realist defence of the traditional national interest on the other. The recommended policy in 1955 was pure power politics. The previous ‘Not-My-Problem’ and ‘Make-It-Go-Away’ approaches to the Icelandic issue would be replaced by a much more assertive course, a ‘To-Hell-With-It’ attitude, perhaps. It was both unfortunate and telling that when the will to take some initiative and be ahead of events finally appeared in London, the wrong action was proposed. The mistake was neither unique, nor made in a vacuum. While men like Kirkpatrick and Ward did not base their decisions about the fishing dispute on a sound knowledge or experience of Icelandic affairs, they had wider preconceptions and analogies in their minds. In the mid-1950s, in a sense, the Suez Canal flowed through Icelandic waters.

‘Suez’, the failed operation against Colonel Nasser’s Egypt in 1956, was for Britain ‘*the* defining moment of the post-war period’.²⁹⁸ It highlighted, as Lord Gladwyn wrote, how British decision-makers were ‘living in the shadow of our Imperial past with small conception of the real problems that awaited solution’.²⁹⁹ In the mid-1950s, the Icelanders were accused of abusing British interests in much the same way as the Egyptians when they nationalised the Canal. The *Hull Daily Mail* spoke of ‘Iceland’s Nasserism’,³⁰⁰ and in Reykjavík, Henderson saw other similarities with the situation in the Middle East. He mockingly called Prime Minister Thors ‘Ólafur Mossadegh’,

²⁹⁶ PRO: FO371/116445/NL1351/186, FO draft submission, September 1955.

²⁹⁷ PRO: FO371/116448/NL1351/260, draft paper, December 1955.

²⁹⁸ Hennessy, *Muddling Through*, 97.

²⁹⁹ Lord Gladwyn, *The Memoirs of Lord Gladwyn* (London: Weidenfeld and Nicolson, 1972), 284-285.

³⁰⁰ *Hull Daily Mail*, 18.10.1956.

finding the ‘obstinate old man’ guilty of the same disregard for Britain’s rights as the repulsive leader who appropriated the oil installations in Persia.³⁰¹ In general, Valur Ingimundarson has spoken of a ‘Third-World-Effect’ to describe Iceland’s relations with the West in the post-war period.³⁰² Henderson, Ward and Kirkpatrick would have agreed.

Still, would a small ‘Suez’ have occurred in the North Atlantic if the Icelanders had extended the fishing limits afresh? The dire consequences of naval protection, which the lower-ranking officials in the Foreign Office and the Admiralty foresaw, could certainly have come about. The Icelanders, far from ‘seeing reason’, would have united against the common foe. Their fervour against British ‘imperialism’ during the Suez crisis is revealing enough: when the fishery protection destroyer HMS *Bramble* arrived in Reykjavík harbour on November 1, 1956, the day after British parachute landings near Port Said, a crowd of people repeatedly unleashed the ship’s moorings and shouted, ‘get off to Egypt, you murdering British pigs’.³⁰³ The political repercussions in Iceland would have been severe as well. In 1955, the Progressives, increasingly unhappy in the coalition with the Conservative Party, started secret talks with the Social Democrats about an electoral alliance which might bring them majority in the next polls, most likely as soon as the following year. A main plank in their platform would be the dismissal of US forces,³⁰⁴ and anti-Western feeling in Iceland would certainly have intensified if the turrets of British warships had been turned on the country’s tiny coast guard vessels.

As it happened, Britain and Iceland were saved from a crisis of serious proportions because, on the one hand, the trigger of a further extension was not quickly pulled in Reykjavík. On the other hand, in late 1955 the painstaking talks at the OEEC had begun to give cause for qualified optimism. Indeed, the proposed Cabinet paper about naval protection specifically mentioned that they should be allowed to proceed to breakdown or settlement before its recommendations were put in motion.³⁰⁵ Ahead lay a year of reckoning.

³⁰¹ PRO: FO371/111531/NL1351/50, Henderson to Matthews, 2.6.1954.

³⁰² Valur Ingimundarson, *Uppgjör við umheiminn* (Reykjavík: Vaka-Helgafell, 2001), 331.

³⁰³ Gerken interview, 20.1.2001. He said the abuse had been on these lines, although he did not remember it word for word. Also PRO: ADM53/143132, HMS *Bramble* logbook, 1.11.1956.

³⁰⁴ Ingimundarson, *Í eldlinu*, 294-298.

³⁰⁵ PRO: FO371/116448/NL1351/260, draft paper, December 1955.

2.8. Climax. Domestic Politics, High Politics and the End of the Landing Ban, 1956.

In 1956, the landing ban finally ended, but only after a series of ups and downs in the OEEC negotiations. In the meantime, a crisis of immense proportions had tested Iceland's relations with the Western world. The *New York Times* warned that the country might be 'drifting into the Soviet orbit',³⁰⁶ and Britain appeared at least partly to blame. 'Unless the fishing dispute is settled soon to ease the bitter feeling for this country', wrote a Bank of England official, '... the present Prime Minister, much as he personally favours the West, will be forced to accept ... Russian offers to launch his development programme'.³⁰⁷ At the end of 1956, however, a truce on cod and Cold War had been reached. That settlement was an excellent example of who had power over whom in the whole dispute over fishing off Iceland after the Second World War.

At the end of 1955, the mediation at the OEEC had brought the warring sides close to an agreement, heavily in favour of Iceland. Pétur Benediktsson argued that in return for a removal of the landing ban, the Icelandic authorities would be willing to offer the small concession which they had contemplated after Winston Churchill's letter to Ólafur Thors in February 1955: a permission for trawlers to seek shelter with their gear unstowed and unshackled. For their part, the British side was ready to accept the present fishing limit *de facto* in return for a quota on Icelandic landings to prevent a glut on the market, and an assurance on no subsequent extensions before the United Nations had conferred on the width of territorial waters.³⁰⁸

On its own, a concurrence between diplomats in Paris meant little, however. Benediktsson worried that although a solution on these lines would constitute a 'massive victory', 'pseudo-arguments' from Icelandic party politics might stand in the way.³⁰⁹ Most significantly, Hermann Jónasson, leader of the Progressive Party, was against any government decision on the fishing limits before the forthcoming elections.³¹⁰ Yet, he could be persuaded to accept the weaker compromise that the *Althing* would pass a resolution about a temporary standstill on further extensions. At the end of January, the coalition parties were ready to take this step.³¹¹ Then, however,

³⁰⁶ *New York Times*, 24.7.1956.

³⁰⁷ BEA: OV35/7, Jackson report, 24.8.1956.

³⁰⁸ SSÍ-DÓP: Ólafsson memorandum, 26.11.1955. PRO: FO371/116448/NL1351/237, Ellis-Rees to FO, 5.12.1955.

³⁰⁹ THÍ-URN: 1996-B/63-3 15.D.001.15, Benediktsson to Gudmundsson and Thors, 7.1.1956.

³¹⁰ RA-DEN: Begtrup to Hansen, 13.12.1955 and 21.12.1955.

³¹¹ PRO: FO371/122518/NL1351/41, Given to Harman, 27.1.1956.

domestic complications had arisen on Humberside and in London. First, the trawler owners and officers demanded, in addition to quota restrictions and the non-stowing allowance, a pledge on no more extensions for at least ten years but preferably a half-century.³¹² Thus, the task was not only to negotiate with the Icelanders but also the trawlermen.

Furthermore, an agreement had to be reached within Whitehall. International disputes could be entangled, yet nothing compared to the complexities of Britain's interdepartmental conflicts. As Anthony Sampson once wrote: 'A man at the Board of Trade will talk about "those Min. of Ag. people" as if they were serving a foreign power'.³¹³ When the Foreign Office and the Fisheries Department introduced the quota idea, the Board of Trade seemed suddenly to apprehend that a ban on Icelandic iced fish imports existed. It was, in the words of Sir Edgar Cohen, one of the department's secretaries, 'about the most restrictive practice we have seen in our post-war history'.³¹⁴ Only after a series of stiff departmental meetings did the Board drop its objections, on the grounds that this fishy business was clearly 'a special case'.³¹⁵ By then, however, the Fisheries Department was also stalling the process, fearing that if the promised *Althing* resolution was passed before the industry was ready to follow with their part of the bargain, Heathcoat Amory would be challenged in Parliament to exert pressure on Humberside.

Fatefully, the Icelanders were therefore asked to put the action on hold and representatives of the British and Icelandic trawler owners were invited to the OEEC headquarters in Paris to hammer out the exact details of a quota agreement.³¹⁶ Meetings took place in February and again in April. It inevitably fell on the British owners to do most of the giving, for discussions on limits past and present were explicitly left out of the agenda.³¹⁷ They saw little need to be overly accommodating, therefore, and as a member of the Foreign Office said, 'I now feel about these negotiations rather as Napoleon (I think) did about some of his business when he remarked, "Heaven preserve me from my friends; I can deal with my enemies"'.³¹⁸ The talks produced no result and a window of opportunity had clearly been lost. Departmental squabble in Whitehall was

³¹² PRO: MAF209/1489, minute of meeting with industry representatives, 14.12.1955, and Wall minute, 24.12.1955. GFVOA: Council meeting, 29.12.1955.

³¹³ Sampson, *Anatomy*, 230.

³¹⁴ PRO: BT258/1254, Cohen minute, 12.1.1956. Also MAF209/1490, Thorneycroft to Amory, 21.1.1956.

³¹⁵ PRO: BT258/1254, Dennehy minute, 17.1.1956. Ackroyd minute, 7.2.1956.

³¹⁶ PRO: FO371/122518/NL1351/41, Given to Harman, 27.1.1956.

³¹⁷ For an overview, see PRO: MAF209/1491, Hetherington report, 20.4.1956, and ThÍ-URN: 1996-B/63-3 15.D.001.15, Benediktsson to Ólafsson, 30.4.1956.

³¹⁸ PRO: FO962/27, Given to Henderson, 17.2.1956.

to blame, as was the owners' intransigence. But the domestic situation in Iceland also intervened. While the *Althing* resolution on no extensions before United Nations deliberations would have been passable at the start of the year, by spring, elections loomed large and the Progressive Party again saw advantages in opposing a deal with Britain.³¹⁹ Furthermore, the whole gamut of Iceland's foreign relations was by this stage seriously upset. In February, Selwyn Lloyd (now Foreign Secretary), Heathcoat Amory and James Stuart had told the Cabinet that the ban's strategic disadvantages could no longer be accepted:

A prolongation of the dispute would increase the economic dependence of Iceland on the Soviet bloc; it would also strengthen the hands of the Communists in Iceland, whose aim is to deny the United States the use of the vital air base at Keflavík and to bring about the withdrawal of Iceland from the North Atlantic Treaty Organisation.³²⁰

Later in the year, these words seemed to ring true indeed. During the campaign before the Icelandic elections in the summer of 1956, and not to mention after the momentous outcome, it looked as if Britain had left it too late to lift the ban.

The 1956 crisis in Iceland's relations with the United States and NATO has been researched in detail.³²¹ Only the 'fish' aspect needs to be detailed here. In short, in March the Progressives and the Social Democrats tabled an *Althing* resolution about the revision of the 1951 defence agreement with the United States, so that local personnel would maintain all military installations and although Iceland would remain in NATO, American troops were to leave the island. Around the same time, Hannibal Valdimarsson, the influential left-leaning Social Democrat (sometimes known as the Icelandic 'Bevan')³²² was expelled from that party and formed an electoral bloc with the Socialists, the so-called People's Alliance. They supported the *Althing* resolution and the Conservative-Progressive coalition was of course finished. Elections were to be held in June.

³¹⁹ PRO: FO371/122520/NL1351/122, Henderson to FO, 5.4.1956.

³²⁰ PRO: CAB129/79, C(56)45, Lloyd, Amory and Stuart memorandum, 21.2.1956.

³²¹ Valur Ingimundarson, 'Buttressing the West in the North: The Atlantic Alliance, Economic Warfare, and the Soviet Challenge in Iceland, 1956-1959', *International History Review*, Vol. 21, No. 1, 1999, 80-103. Also Ingimundarson, *Í eldlínu*, 293-362, and *Struggle*, 46-55. Whitehead, *Ally*, 67-83, Berdal, *United States*, 140-147, and Thorsteinsson, *Utanríkishjónusta II*, 565-587.

³²² Federal Foreign Office Archives, Berlin [henceforward PAAA]: B23/17, Oppler to Bonn, 28.3.1956.

The Americans responded by halting all construction at the Keflavík base, an important element in Iceland's economy.³²³ Simultaneously, they concluded that the idea of having Icelanders in charge of the base was wholly unrealistic. The US presence in Iceland was 'vital' and the Joint Chiefs of Staff even argued that a departure would be 'unacceptable'.³²⁴ Furthermore, a move towards demilitarisation in Iceland might encourage neutralist tendencies elsewhere in NATO, fairly soon after the Soviet-inspired 'spirit of Geneva' and at a time when the Alliance was 'going through a difficult patch', in Lord Ismay's words.³²⁵ Some wooing was therefore needed. The United States aimed to influence the outcome at the polls and a significant part of that strategy involved a demonstration of the economic benefits of Western co-operation.³²⁶ In Washington, President Eisenhower reportedly came back to the idea of a wholesale purchase of Iceland's annual fish catches,³²⁷ and the American dislike of the landing ban naturally intensified. It must be lifted, wrote John J. Muccio, the Minister in Reykjavík, who could see 'no more effective action for helping election situation here'.³²⁸ On June 8, the London Embassy therefore made an 'urgent plea' to have the embargo 'immediately removed'. British officials fended off sudden action by pointing out—accurately—that it would only arouse suspicions so late in the day and that the ban was not the main reason behind the developments in Iceland.³²⁹ They also argued the well rehearsed line that the ban was not illegal and there was nothing the authorities could do about it. Yet, it had to be acknowledged, as Fisheries Secretary Wall worried, that 'the future of the American base at Keflavík is getting mixed up with the fisheries dispute'.³³⁰

If the Conservatives, the only pro-American party, had emerged victorious after the June elections, the United States would undoubtedly have put even more pressure on the British authorities. But the vote resulted in the formation of a coalition of the Progressives, the Social Democrats and the People's Alliance. Hermann Jónasson became Prime Minister and the Social Democrat Guðmundur Í. Guðmundsson took the

³²³ At the time, the base accounted for 10% of the country's national income. See Ingimundarson, *Struggle*, 46-47.

³²⁴ Berdal, *United States*, 142.

³²⁵ Liddell Hart Centre for Military Archives, King's College, University of London [henceforward KCLMA]: ISMAY.3/18/14, Ismay speech, 7.9.1956. Also ISMAY.4/15/68, Cross memorandum, 6.6.1956, and Bischof and Dockrill (eds), *Cold War Respite*.

³²⁶ DDE: White House Office, NSC Staff: Papers, 1948-61. OCB Central File Series, Box 36, OCB 091. Iceland (File#3) (10), memorandum, 4.4.1956.

³²⁷ *New York Times*, 25.6.1956. Also DDE: White House Office, NSC Staff: Papers, 1948-61. OCB Central File Series, Box 36, OCB 091. Iceland (File#4) (4), memorandum, 26.6.1956.

³²⁸ NARA: RG59/840B.245/4-2556, Muccio to Dulles, 25.4.1956.

³²⁹ PRO: FO371/122491/NL1015/37, Ward minute, 11.6.1956. Also NARA: RG59/840B.245/5-2556, Hoover to London, 25.5.1956.

³³⁰ PRO: MAF209/1492, Wall minute, 14.6.1956.

Foreign Ministry. Their parties got two other ministerial posts, as did the People's Alliance, so for the first time in the history of NATO, a member-state had 'Communists' in its regime: Hannibal Valdimarsson and the resolute and charismatic Lúdvík Jósepsson who became Minister of Fisheries. Before the elections, both the Progressives and especially the Social Democrats had vowed that they would not co-operate with the People's Alliance.³³¹ The pull of power proved strong, however, as well as the opportunity to exclude the Conservative Party from government for the first time since the Republic's foundation in 1944. These domestic interests weighed more than Western anguish about the inclusion of 'Communists' in the coalition.

So, after the elections the 'Left regime', as the coalition was called, assumed power. Almost overnight, the American attitude became very hostile. Economic coercion began and the new coalition found it impossible to raise much needed loans in the West.³³² Correspondingly, the attitude on the landing ban was reversed. On August 14, American diplomats in London expressed the wish that 'nothing should be done until a more viable government was in power in Iceland'.³³³ The Icelanders were losing their strong friend in the struggle against Britain. Furthermore, they were facing American fury when the Soviet Union was waiting in the wings with favourable loans and offers of ever increased trade. Such, at least, was the impression of Western officials outside the United States who feared that intimidation would precipitate the misfortune which it was meant to counter.³³⁴ 'Too much tendency to shun it', said a member of the Foreign Office on the new regime, 'might lead to another "Czech coup" in Iceland'.³³⁵ The far-fetched comparison was not altogether silly. In the last years before the Communist take-over in Czechoslovakia in 1948, British diplomats had been concerned over the American inclination to abandon the democratic authorities in Prague because of their unavoidable mollification of Communists at home and abroad. 'It is not ... a question of throwing good money after bad', said Ambassador Sir Philip Nichols in 1947, 'but rather of continuing to pay premiums on a secondary insurance policy which may one day be useful'.³³⁶

³³¹ Stefán Jóhann Stefánsson, *Minningar* (Reykjavík: Setberg, 1967), 107.

³³² Whitehead, *Ally*, 76-77.

³³³ PRO: FO371/122522/NL1351/68, Hohler minute, 14.8.1956. Also NARA: RG59/840B.245/8-756, Dulles to London, 7.8.1956.

³³⁴ NA-CAN: RG25/6113/50373-40-1.1, Pearson to NATO delegation, 24.7.1956. UD: 33.6/11/IV, Oslo to NATO delegation, 13.8.1956. PAAA: B23/17, van Scherpenberg minute, 28.8.1956.

³³⁵ PRO: FO371/122522/NL1351/164, Harman to Given, 2.8.1956.

³³⁶ PRO: FO371/65785/N8873/12/12, Nichols to Bevin, 25.7.1947. Also Mark Steinitz, 'The US Propaganda Effort in Czechoslovakia, 1945-48', *Diplomatic History*, Vol. 6, No. 4, Fall 1982, 359-388.

Mostly, however, the similarities between Reykjavík and Prague were superficial. Notwithstanding their dislike of foreign troops, the Icelanders were predominantly pro-Western and geographically in the Western sphere of influence. Gradually, American officials realised that the new government was not determined to expel the US forces, despite the campaign rhetoric. Foreign Minister Gudmundsson, in particular, was a fierce anti-Communist who wanted to maintain the *status quo*, more or less.³³⁷ Negotiations about the continuation of the Keflavík base were opened, with simultaneous talks on economic assistance and loans. Both were proceeding satisfactorily when the Soviet invasion of Hungary clinched a Progressive/Social Democrat acceptance of permanent American presence on the island—as well as vital financial aid. Faced with the worse choice of losing power, the People's Alliance had to accept defeat on the troops removal. Thus, as Thór Whitehead has written, 'the first NATO government with pro-Communist participation had been materially strengthened by American "dollar diplomacy"'. Such were the paradoxes of the Cold War'.³³⁸

Unsurprisingly, the easing of nerves in the United States revived the unhappiness with the landing ban. In November, when Icelandic and American representatives were discussing the arrangements at Keflavík and economic assistance to Iceland, the notion of loans to purchase fishing vessels emerged. But this would only be sensible, it was pointed out in Washington, if an increasing portion of the catches was sold 'in Free World markets'.³³⁹ Publicly, meanwhile, a reporter who visited Iceland (and was unaware of the progress at the US-Icelandic talks) described the British embargo as a 'lesson in how to lose an air base—plus radar and naval facilities of immense importance to American security'.³⁴⁰ Although the economic and political effects of the embargo were exaggerated, Jack Ward was right when he argued in late October that the authorities ought to 'remove this boycott-millstone from around all our British necks ... We should thus cease to be exposed to the criticism of Americans and other friends'.³⁴¹

During the Icelandic crisis in the summer and autumn of 1956, quiet probing had continued at the OEEC headquarters in Paris. By September, it was clear that the only outstanding issue was the scope of an assurance by the 'Left regime' in Reykjavík about

³³⁷ Thorleifur Fridriksson, *Undirheimar íslenskra stjórn mála* (Reykjavík: Örn og Örlygur, 1988), 127.

³³⁸ Whitehead, *Ally*, 83.

³³⁹ DDE: White House Office, NSC Staff: Papers, 1948-61. OCB Central File Series, Box 36, OCB 091. Iceland (File#5) (1), memorandum, 9.11.1956.

³⁴⁰ Porter McKeever, 'How to Throw away an Air Base', *Harper's Magazine*, October 1956, 39.

³⁴¹ PRO: FO371/122524/NL1351/238, Ward minute, 24.10.1956.

future actions.³⁴² This could still be a tricky problem. In its policy statement, the coalition stated that an extension of the fishing limits was ‘a pressing necessity’.³⁴³ The Socialists, forced to backtrack on the base question, were determined not to give up another primary goal and the two other parties only found it in order to wait beyond a discussion on the law of the sea at the United Nations General Assembly in November and December. They would not promise longer abstention, for then the government might collapse.³⁴⁴ In Britain, however, the trawling industry held out for more.³⁴⁵ In early October, the advance towards a solution was halted and British diplomats ‘on the spot’ were dismayed. In Paris, Sir Hugh Ellis-Rees sympathised with the obvious internal difficulties of the Icelandic government and complained that ‘we are now completely in the hands of the industry over inter-governmental texts’.³⁴⁶ In Reykjavík, the ambitious and energetic Andrew Gilchrist, who had replaced Henderson earlier in the year, agreed. Ever since his arrival, he had been underlining that the ban was a useless nuisance which should be removed as soon as possible. But he was finding out, like his predecessors, that messages from Iceland could receive scant attention in London. Gilchrist had to wonder if the Foreign Office did not ‘fully accept the views on the local situation which I have been putting forward from Reykjavík’.³⁴⁷

That had certainly been the case before. Yet, the trawling industry had been obdurate once too often. By the beginning of November, the consensus was reached in Whitehall that the landing ban should be lifted because it was ineffective, disliked at international level, and probably illegal.³⁴⁸ On November 8, the leaders of the BTF were told in no uncertain terms that the time had come to accept what was on the table. The replacement of the ban by controlled Icelandic landings would mean, as Fisheries Secretary Wall put it, that the industry ‘will be rid of the boycott before it is knocked on the head by the Restrictive Trade Practices Act’. Obstinacy, on the other hand, would only encourage the extremists in Iceland who were intent on making further limits extensions. Most reluctantly, the trawler owners agreed.³⁴⁹ On November 14, the trawler owner associations of Iceland and Britain signed an agreement in Paris on the

³⁴² PRO: FO371/122523/NL1351/188, Ellis-Rees to FO, 13.9.1956.

³⁴³ Jónsson, *Friends*, 70.

³⁴⁴ Jósepsson, *Landhelgismálid*, 28-34. Ólafsson, *Saga*, 92-93.

³⁴⁵ PRO: FO371/122523/NL1351/188, FO to Paris permanent delegation, 27.9.1956. HCA: DBTH15/25, HFVOA management committee minutes, 1.10.1956.

³⁴⁶ PRO: FO371/122524/NL1351/222, Ellis-Rees to FO, 17.10.1956.

³⁴⁷ PRO: FO962/28, Gilchrist to Given, 3.10.1956. The despatch was not sent but kept on file, for possible use later.

³⁴⁸ PRO: BT258/1255, Thorneycroft to Amory, 3.8.1956.

³⁴⁹ PRO: MAF209/1493, Wall minute, 2.11.1956. FO371/122526/NL1351/261, Given minute, 8.11.1956. HCA: DBTH15/25, HFVOA management committee minutes, 12.11.1956.

resumption of Icelandic landings in British ports. There was a ceiling on the total amount of catches but it was generous and Icelandic vessels would not be passed over in times of glut. Simultaneously, the Foreign Ministry in Reykjavík announced that British trawlers could seek shelter close to shore with their gear unstowed, and that the government did not expect to widen the fishing limits before the conclusion of the UN General Assembly.³⁵⁰

Thus ended the dispute which had begun in 1952. In the end, Britain had to do almost all of the giving. Although the final settlement was reached between the trawler owners on either side, in essence the dispute had been about Britain's refusal to concede Iceland's extension of fishing limits.³⁵¹ The British industry could never have maintained the embargo for so long if the authorities had accepted that action at the beginning. The whole dispute highlights, therefore, three main aspects of the maritime disputes in the North Atlantic after the Second World War.

Firstly, the power of a domestic pressure group in Britain was demonstrated. For four years, the formulation of foreign policy was effectively assigned to Humberside. The trawling industry held 'a veto' on any proposal to end the conflict, as Lord John Hope pointed out in the Foreign Office at the start of 1956.³⁵² Legal and strategic considerations did not manage to outweigh the demands of the pressure group. Moreover, these demands were based on a misapprehension. Despite the dire predictions about the catastrophic effects on distant-water fishing, catches were excellent throughout the period. By the end, even reputed 'Iceland haters' among the skippers admitted in private that they were actually benefiting from the conservation effects of the new limits.³⁵³ Furthermore, it has been demonstrated how the trawler owners were interested in the removal of competition on the British market, *per se*. At the OEEC, Pétur Benediktsson would urge Britain to 'treat them like naughty schoolboys' and they truly got away with far too much mischief.³⁵⁴ The authorities both should and could have drawn a line sooner than they did. Although the dramatic measures about government purchases or troops in the ports which were aired at the onset would have been absurd, officials came to mention that they could coerce the

³⁵⁰ Sigurdsson, *Sókn*, 257-258. Ólafsson, *Saga*, 92-93.

³⁵¹ For the contrary view that the dispute was 'a commercial conflict', see Thór, 'Extension', 42.

³⁵² PRO: MAF209/1484, Savage minute, 5.1.1956.

³⁵³ PRO: MAF209/1489, Williams minute, 21.12.1955. Also Thór, *British Trawlers*, 125, 242.

³⁵⁴ ThÍ-URN: 1996-B/63-3 15.D.001.4, Benediktsson to Reykjavík, 30.10.1952.

industry, for instance by threatening to withdraw the white fish subsidy, an important source in the running of trawler companies.³⁵⁵

Secondly, the decision-making process itself contributed to Britain's refusal to accept defeat. There was the lazy notion that a problem postponed was a problem solved, and a tendency to discount information from envoys at the scene if it did not fit with the wishful thinking in Whitehall. Departmental disputes did not help either. As the dispute went on, the Foreign Office admittedly grew restive but the officials at the Fisheries Department proved staunch defenders of their clients' interests.³⁵⁶ And unfortunately, the delay in accepting the inevitable, through deference to the industry and indecision in Whitehall, only meant that the final surrender was worse than a dignified retreat would have been before. 'The Icelandic dispute is over', a furious Hull skipper pointed out after the settlement in Paris, 'and where are we at the end of 4½ years wrangling—worse off than when the dispute started'.³⁵⁷

Thirdly, therefore, the conflict highlights the miscalculations on power by the British side. This was of course most obvious in the way Iceland broke the ban by selling fish to East and West, accentuating the island's strategic importance during the Cold War. The 'big stick' of the landing ban was not so big after all. The dispute was a case study of power politics in a new environment. In November 1955, an American diplomat in Reykjavík summed up the situation as well as any scholar of international relations might have done:

In more 'normal' times it would have been rash indeed in a nation of Iceland's size to sidestep a legal test and play so casually with the argument of 'vital interest' so dear to larger powers. When vital interests clash and legal tests are not possible, cruisers are often called upon to lend their weight to the argument. In this case, however, the Icelanders have correctly judged that the vital British interest lay on the side of letting Iceland have its way. Any overt use of force might have shaken Iceland out of NATO ... Had she not been in NATO it is easy to suppose that the course would have been quite different.³⁵⁸

When British officials took a long, hard look at the correlation of forces in the North Atlantic, they had to agree that the constraints of alliance and interdependence were preventing a traditional defence of a traditional interest. 'It is distressing to note once again', wrote Ward in the Foreign Office, 'how in international bodies any rascally small country is allowed to set the pace and our supposed allies and friends expect the

³⁵⁵ PRO: FO371/116437/NL1351/10, interdepartmental meeting, 5.1.1955.

³⁵⁶ See PRO: MAF209/1477, Wall minute, 12.2.1954. MAF209/1479, Smith minute, 12.5.1955.

³⁵⁷ *Hull Daily Mail*, 15.11.1956.

³⁵⁸ NARA: RG59/840B.245/11-1455, Gibson to Washington, 14.11.1955.

United Kingdom to show *noblesse oblige* and defer'.³⁵⁹ But then this was the reality which had to be faced. It was no good trying to wish it away. Of course it could also be fought, as indeed Ward and Ivone Kirkpatrick had contemplated in their Suez-like frame of mind. In the mid-1950s, however, a fight against the extensions of maritime jurisdiction would have been a tough one, to say the least. Not only was Iceland deceptively strong when all things were considered, but neither was she the sole adversary.

³⁵⁹ PRO: FO371/122524/NL1351/228, Ward minute, 17.10.1956.

2.9. Decolonisation at Sea. The Continuous Demise of the Three-Mile Limit, 1954-1956.

At the end of 1956, only the most optimistic observer in London could argue that the defence of narrow territorial waters was holding up well. After all, the *de facto* retreat from the three-mile rule off Iceland had been preceded by inconvenient compromises with the Soviet Union and the Faroe Islands, and before that a *de jure* defeat against Norway at The Hague. Furthermore, a survey of the whole globe in 1954 showed that only about 20 states, mainly Western or 'old' Commonwealth, adhered to the three-mile rule. Of these, some were definitely shifting towards a wider limit of territorial waters.³⁶⁰ The rest—mostly the Communist bloc and the 'third world'—had almost wholly rejected the three-mile principle. Grotius was finally dead, as one legal expert was to announce.³⁶¹

The traditional view on the freedom of the high seas was also confused by increased interest in the continental shelf. Exploration of oil in the North Sea began in earnest and as one Whitehall official estimated, rather cautiously but with great accuracy as it turned out, 'the division of the bed of the North Sea may become a practical issue in the comparatively near future'.³⁶² A new aspect of the 'national interest' was emerging and although Britain and other maritime powers always maintained that rights to the continental shelf were completely separated from a title to the seas above, a state like Iceland could easily 'abuse' such claims to include fish as well, as Legal Adviser Fitzmaurice underlined.³⁶³

Most radical, still, were a number of Latin American states, primarily Chile, Ecuador and Peru, the signatories of the Santiago Declaration on a 200-mile limit in 1952.³⁶⁴ In November 1954, this extensive claim was sensationally enforced deep off the coast of Peru. The country's Navy and Air Force forcibly seized five whaling vessels of the Greek shipping mogul, Aristotle Onassis. They were later ordered to pay a fine of three million US Dollars, a huge amount at the time.³⁶⁵ Since the whaling fleet held a Marine and War Risk insurance with Lloyd's in London, the penalty fell on

³⁶⁰ PRO: FO371/110744/GW1/108, undated list of limits of territorial waters, circa December 1954.

³⁶¹ *Times*, 8.6.1956, quoting Professor Krylov of the Soviet Union.

³⁶² PRO: FO371/110741/GW1/18, Peck to Lawrence-Wilson, 24.3.1954.

³⁶³ PRO: FO371/115444/GW1/67, Fitzmaurice minute, 14.10.1955.

³⁶⁴ See section 2.1, 66.

³⁶⁵ *New York Times*, 17.11.1954, and NARA: RG59/857.246/1-1055, Oslo to Washington, 10.1.1955.

them.³⁶⁶ Britain was therefore involved and had her own whaling effort to worry about as well. British shipping circles strongly condemned the harsh measures and, like the owners and trawlermen on Humberside in the Icelandic dispute, called for Royal Navy protection.³⁶⁷ As off Iceland, however, the Admiralty was wary. In the summer of 1956, Nairne at Military Branch pointed out that although a frigate from the America and West Indies Station could easily sail to the disputed waters, a stronger presence would probably be required, something which could only be done 'at the expense of our heavy Cold War commitments elsewhere'.³⁶⁸ And even if whaling interests and the principle of the freedom of the high seas were deemed important enough to risk naval battles, Chile, Ecuador and Peru would never relinquish their ocean claims because of such pressure. Furthermore, a passive policy on the Latin American expansion was also followed in Washington. The United States faced a similar dilemma as Britain after warships from Ecuador fired on and captured Californian tuna fishing vessels within its proclaimed 200-mile limit. The matter was raised in Congress and sanctions demanded. Still, the Ecuadorians were certain that the United States would not take any such action since, as one of their Ministers told the American Ambassador in Quito, Ecuador would have to retaliate in turn, and then adding with a laugh, 'you know the Russians are breathing down our necks'.³⁶⁹

Thus, the South American action highlights, if insignificantly, how the Cold War influenced the composition of power in the 1950s. An 'exploitation' of the superpowers' need for allies was not a unique Icelandic phenomenon. The US reservation certifies as well that Nairne's lack of the 'Nelson touch' in the South Pacific, just as the North Atlantic, was very logical. The correlation of power in the international system had developed to Britain's disadvantage when it came to her perceived interest of narrow territorial waters.³⁷⁰ The gradual demise of the three-mile rule was decolonisation at sea, as it were. The 'have not' nations wanted to expel foreigners from their coastal waters just as much as colonized peoples wanted to put an

³⁶⁶ PRO: DO127/102, FO to 'certain of Her Majesty's Representatives', 19.11.1954.

³⁶⁷ PRO: MT59/2980, Dickinson minute, 19.1.1955.

³⁶⁸ PRO: FO371/121213/GW2/59, Nairne to Falla, 10.8.1956.

³⁶⁹ NARA: RG59/397.022-1A/3-156, Mills to Dulles, 1.3.1956. Also *FRUS 1955-1957* XI, 538-541, State Department memorandum, undated, but approved on 30.1.1956..

³⁷⁰ This change was of course evident on land as well. The British Empire vanished partly, it has been asserted, due to a 'structure of international relations which precluded old style colonialism'. See W. David McIntyre, *British Decolonization, 1946-1997. When, Why and How did the British Empire Fall?* (Basingstoke: Macmillan, 1998), 130. Also L.J. Butler, *Britain and Empire. Adjusting to a Post-Imperial World* (London: I.B. Tauris, 2002), 127-129, 190-192.

end to European exploitation of inland resources.³⁷¹ Indeed, in the mid-1950s the Colonial Office contended, mainly with colonies in the West Indies and East Africa in mind, that coastal states, which relied to some degree on fish stocks in their contiguous waters, must have the right to take unilateral measures against foreign fishing.³⁷² The argument was, as Fitzmaurice ruefully stressed within Whitehall, quite understandable but unfortunately almost identical with the view of many coastal powers which Britain was trying to combat.³⁷³

Consequently, the biological or 'rational' reasons for equal access to fishing banks, which 'three-milers' like Britain or the United States espoused, cut little ice with the 'have nots' who compared it with nineteenth century imperialists, proclaiming a tutelary role against their colonial charges. The distrust was particularly obvious in the spring of 1955 when FAO, the Food and Agriculture Organisation of the United Nations, convened in Rome a special conference on the living resources of the sea.³⁷⁴ Even when British fish scientists spoke of the need for regulation and conservation of high seas fisheries, the Latin Americans and other proponents for change unscrupulously used those arguments to advance their national sovereignty cause.³⁷⁵ Ultimately, the present or possible risk of stock depletion was not only a biological problem. Calls for conservation were also a continuation of politics by other means.³⁷⁶ Hence, the general development of the law of the sea in the mid-1950s reconfirms the importance of commitment, so obvious in the Anglo-Icelandic conflict. As the Foreign Minister of Chile put it in October 1954, 'necessity is the great generating source of law'.³⁷⁷

Naturally, juridical argumentation and debate was still important. It was portentous, however, that the International Law Commission, the main venue for that aspect of the story, convened on the premises of the old League of Nations in Geneva, perhaps the epitome of the futility of principle without power. It may be recalled as well that in the

³⁷¹ For the description of 'have not' nations, see PRO: MAF209/1512, undated minute, probably from December 1955. Also Jónsson, *Friends*, 192-204.

³⁷² PRO: MAF209/1512, Savage minute, 20.12.1955, and interdepartmental meeting, 22.12.1955.

³⁷³ PRO: FO371/115445/GW1/84, Fitzmaurice minute, 16.12.1955.

³⁷⁴ PRO: FO371/115383/G5/59, interdepartmental meeting, 20.5.1955. Also UD: 26.7/13/II, Norwegian delegation report on Rome Conference, 24.6.1955. 45 states sent delegates to the conference in Rome which was held on 18.4.-10.5.1955.

³⁷⁵ See the criticism by the German Meseck on the British scientists. BA: B116/13306, Meseck to Werkmeister, 7.6.1955.

³⁷⁶ As Hutchinson in the Scottish Office wrote: 'It must be remembered in all this that the word "conservation" when translated into Latin-American means keeping what you have, or think you have!'. PRO: MAF209/1512, Hutchinson to Savage, 19.12.1955.

³⁷⁷ NARA: RG59/320-22/10-654, Sanders to Washington, 6.10.1954.

Anglo-Norwegian dispute, the one landmark case on territorial waters after the Second World War, Britain had suffered a clear defeat. In 1953, moreover, Professor Lauterpacht, the British member of the International Law Commission, had just barely managed to stave off a forthright rejection of the three-mile rule in that body. The following year, he warned again that a rigid adherence to three miles was bound to create the impression 'that our attitude is purely negative and lacking in reasonableness and accommodation'.³⁷⁸

Now these were not novel thoughts. Again, a recall of recent developments would reveal that a reasonable initiative of, say, a six-mile limit for all purposes had already been discussed in Whitehall.³⁷⁹ And as before, all suggestions for a pragmatic action continued to disappear amidst 'imperial', interdepartmental and institutional inhibitions. First of all, the exaggerated need for impossible powers in unnecessary places still blurred British views on the law of the sea. The perceived interests of Empire precluded a self-imposed departure from the three-mile rule. The analysis was by now familiar. The governing authorities in Gibraltar, Singapore and Hong Kong, to take an example, warned that any deviation from that principle could enable neighbouring powers to block free passage to these 'vital' outposts.³⁸⁰ Secondly, departmental disagreements meant that a consensus on action remained impossible. When suggesting a change in the British position, the Colonial Office was sometimes joined by the Scottish Home Department which regularly argued for a ban on foreign trawling in the Moray Firth and the Firth of Clyde.³⁸¹ But the Fisheries Department could always point to the negative consequences for the distant-water fleet, especially with regard to the struggle against four miles and the closure of bays and fjords off Iceland.³⁸² Thirdly, these dampers on change were reinforced by the ingrained preference for a wait-and-see attitude. In March 1956, a Whitehall summary said that Britain might soon have to accept something like a six-mile limit of territorial waters: 'But this is not a step we wish to take before we have to'.³⁸³ Here again was the highly un-pragmatic policy of inaction. Later the time would arrive when Britain was prepared

³⁷⁸ PRO: FO371/110741/GW1/4, Lauterpacht note, 19.2.1954.

³⁷⁹ See section 2.1, 66.

³⁸⁰ PRO: FO371/110743/GW1/71, White minute, 18.8.1954, FO371/110743/GW1/70, Governor of Singapore to Secretary of State for the Colonies, 21.8.1954, and FO371/110743/GW1/98, Officer Administering the Government, Hong Kong, to Secretary of State for the Colonies, 1.10.1954.

³⁸¹ PRO: FO371/110746/GW3/5, Stuart to Lloyd and Dugdale, 15.1.1954.

³⁸² PRO: FO371/110746/GW3/1, interdepartmental meeting, 5.1.1954, and MAF209/1512, Savage minute, 20.12.1955.

³⁸³ PRO: FO371/121205/GW1/18, Falla minute, 7.3.1956.

to take the six-mile step. By then, however, a 12-mile step was required, at least. On the high seas, Britain was missing the boat.

This was not a unique misfortune. More famously, ‘too little, too late’ has been a popular verdict on British attempts to control decolonisation around the globe.³⁸⁴ In Europe, Britain was also missing a boat, notwithstanding the unfair benefit of hindsight and the intricacy of the European integration process.³⁸⁵ ‘You are just sticking to your guns’, Paul-Henri Spaak, the Belgian Foreign Minister and one of the main movers in the process, is to have remarked shortly after the ground-breaking Messina Conference at the beginning of June 1955 which London more or less ignored. ‘England has not moved at all, and I am not going to move either’.³⁸⁶ On the oceans, Britain also stuck to her guns, if only metaphorically in this day and age, and in the summer of 1955 the law of the sea had its own Messina. On 20 June, 1955, after a ‘stiff fight’ by Britain and a ‘dramatic reversal of fortune’, the International Law Commission approved by seven votes to six a new, provisional draft by François the Rapporteur. It confirmed the legality of the three-mile principle and the invalidity of all limits above 12 miles. Claims to waters in between were neither approved nor rejected but the text read that ‘international law does not require states to recognise a breadth beyond three miles’. This seemed a British triumph. The proposal ‘comes as near to an affirmation of the three-mile rule as is ever likely to emerge’, wrote Fitzmaurice (who had replaced Professor Lauterpacht in the Commission). On closer look, however, the mishmash was ‘hardly comprehensible’ as the Icelandic Andersen remarked. Fitzmaurice was also realistic enough to admit that the halfway gain might well be lost later.³⁸⁷

That fear became clearer at the next session of the International Law Commission in 1956 when its members had been instructed to conclude the long and entangled work on the width of territorial waters. The Commission convened in late April and on June 8, the final and fateful vote on the limits issue took place. ‘The three-mile limit is the only legal rule in existence’, Fitzmaurice emphasised in public, blatantly against better knowledge.³⁸⁸ He could again claim a victory of sorts as the

³⁸⁴ See Mangold, *Success*, 30, and Roy Douglas, *Liquidation of Empire. The End of the British Empire* (Basingstoke: Palgrave, 2002), 160-161.

³⁸⁵ For a summary of the view that a boat or a ‘vital opportunity’ was lost in Europe in the mid-1950s, see Anne Deighton, ‘Missing the Boat. Britain and Europe, 1954-61’, *Contemporary Record*, Vol. 3, No. 3, 1990, 15-17, and John W. Young, *Britain and European Unity, 1945-1999* (New York: St Martin’s Press, 2nd ed., 2000), 52-54. For the complexities of the story, see Ellison, *Threatening Europe*.

³⁸⁶ See Hugo Young, *This Blessed Plot. Britain and Europe from Churchill to Blair* (Basingstoke: Macmillan, 1998), 93.

³⁸⁷ PRO: FO371/115444/GW1/39, Fitzmaurice to FO, 21.6.1955, and ThÍ-WASH: 1990-B/258/52.E.3.2, Andersen report on ILC meetings, 29.6.1955.

³⁸⁸ *Times*, 9.6.1956.

Commission accepted a compromise proposal by the Greek Spiropoulos. But whilst similar to François's formula it did not, crucially, seek to verify the three-mile limit:

1. The Commission recognises that international practice is not uniform as regards the delimitation of the territorial sea.
2. The Commission considers that international law does not permit an extension of the territorial sea beyond twelve miles.
3. The Commission, without taking any decision as to the breadth of the territorial sea within that limit, notes, on the one hand, that many states have fixed a breadth greater than three miles and, on the other hand, that many states do not recognise such a breadth when that of their own territorial sea is less.
4. The Commission considers that the breadth of the territorial sea should be fixed by an international conference.³⁸⁹

In its closing report, the International Law Commission also discussed the proposal that exclusive fishing rights could be claimed on the basis of 'special economic circumstances'. The Icelanders had often raised this matter in international venues, most noticeably at the FAO Conference in Rome the summer before, and it was of course favoured by the Colonial Office in London. In Geneva, Fitzmaurice worked hard against the idea and again the Commission could not come to a clear conclusion. It did confirm, however, that the Icelandic contention 'may reflect problems and interests which deserve recognition in international law'.³⁹⁰

So, to sum up, this was the legal situation in 1956: for seven years Britain (and other maritime powers) had not only managed to stave off a repudiation of the three-mile rule at the International Law Commission but also prevented an endorsement of a wider limit. This was an achievement which confirmed British legal and diplomatic skills. On the other hand, the success was only secured by sacrificing the compromise strategy which all knew would in the end be inevitable. Within the Commission, Britain had at best achieved a Pyrrhic victory. Future battles would be even harder, partly *because* of the rigid defence of the three-mile limit. Predictably, the 'have nots' interpreted the non-committal Spiropoulos solution in their favour, just like the Latin Americans had earlier used the Truman Declarations rather freely. Hans G. Andersen, for instance, would assert that from now on all extensions to 12 miles were permissible.³⁹¹ In any case, as Fitzmaurice asserted after the Commission's wrapping up in 1956, in the next encounter

³⁸⁹ *Report of the International Law Commission. Covering the Work of its Eighth Session 23 April – 4 July 1956* (New York: United Nations, 1956), 4.

³⁹⁰ *Report of the International Law Commission*, 38, and THÍ-WASH: 1990-B/258/52.E.3.2, Andersen report on ILC meetings, 29.6.1955. Also Ólafsson, *Saga*, 98-99.

³⁹¹ PRO: FO371/121209/GW1/163, UK Delegation to UN to FO, 17.12.1956.

‘no amount of legal argument, however cogently put and however much supported by authority, will make the slightest impression’.³⁹² It would be a political battle where bargaining and concessions would be called for. Even the Admiralty agreed. But while it was ostensibly prepared to consider a retreat to six miles to stave off something worse, the usual proviso that ‘[w]e shall have to wait and see’ seriously undermined the apparent show of good sense.³⁹³

By late 1956, however, the tide was clearly turning. The UN General Assembly confirmed that a Law of the Sea Conference would be held in the near future and from New York Fitzmaurice wrote words of caution to Fisheries Secretary Wall: ‘For your information the point that is worrying is the possibility that the *strategic and other factors* requiring a narrow breadth of territorial sea may eventually be made to prevail, but only by admitting a wider breadth for the specific purpose of fisheries’.³⁹⁴ In other words, Britain might have to surrender fish for security. Such a sacrifice would of course be difficult but, furthermore, the procrastination would have to end. Britain would have to show foresight instead of the everlasting wait-and-see attitude, and a level-headed recognition of contemporary capabilities would have to replace a wistful harking for past realities. As if that would happen.

³⁹² PRO: FO371/121204/GW1/58, Falla to Mackay, 3.8.1956.

³⁹³ PRO: ADM1/26551, Nairne minute, 20.8.1956, and FO371/121205/GW1/73, Osley to Comfort, 5.9.1956.

³⁹⁴ PRO: ADM1/26551, UK Delegation to UN to FO, 28.11.1956. Italicised words underlined in Admiralty copy. François also suggested this formula before the General Assembly’s Sixth Committee which discussed the work of the ILC.

III. Between the Devil and the Deep Blue Sea. Cod War and International Conferences, 1956-1960

3.1. *Blackmail and Blindness. Preparations for the First Law of the Sea Conference, 1956-58*

The rather gloomy assertion about Britain's damaging obstinacy highlights a main theme of this thesis, namely that the British fight for the freedom of the high seas in the North Atlantic was marked by outdated ideas about the country's interests and capabilities. The following assessment of events up to the law of the sea conference in 1958 will confirm this claim. It will also reaffirm that the supposedly pragmatic policy of not crossing bridges precipitately harmed the British bargaining position. At the crucial moment, Britain was unprepared. On the other hand, this part of the story shows as well how hard it was to negotiate a tolerable deal with opponents like the Icelanders who seemed powerful enough to 'blackmail' whomever they chose.

The Icelandic Socialists, having been forced to accept the postponement of any move on fishing limits over the United Nations General Assembly in late 1956, were determined to force through an extension as soon as possible afterwards.¹ Such determination was by no means only on the Socialist agenda, however. Two MPs from the Conservative Party called for action in Parliament and Andrew Gilchrist accurately predicted that 'it would be quite wrong to imagine that a Conservative-dominated Cabinet would be *less* likely to act on limits than the present lot'.²

Yet, although there was unity in Iceland on the need for new measures, timing was a different matter. Apart from the People's Alliance and enthusiastic individuals elsewhere, all parties seemed willing to show some accommodation and wait until the forthcoming conference on the law of the sea. The Socialists were undeterred, nonetheless, and in the summer of 1957 a full-blown Cabinet crisis erupted. Lúdvík Jósepsson called for a limited extension off the fishing limit in fall, with seasonal closures outside Faxa-Bay, the Westfjords and the Eastfjords, 12-16 miles seawards.³ Although the move would undoubtedly have been popular, Gudmundsson threatened to resign unless the Fisheries Minister agreed that any change should be postponed until

¹ Jósepsson, *Landhelgismálid*, 34.

² PRO: FO371/128767/NL1351/19, Gilchrist to Given, 19.2.1957. Italics in the original. Also *Althingistíðindi* 1956-1957 D, cols. 317-320, 393-401, and *Althingistíðindi* 1956-1957 A, 402-405.

³ ThÍ-FRN: 1989-B/555-1/L.11.1, Jósepsson memorandum, 21.6.1957.

the UN conference.⁴ The life of the coalition hung in the balance. As Gilchrist estimated, if Jóseppsson issued a new regulation on fishing limits single-handedly, which was within his constitutional right, 'I should not expect to find any Icelander anxious to take the responsibility for withdrawing it'. He did not discount the possibility that Prime Minister Jónasson, never as amenable as Gudmundsson, might change horses in midstream and go with the People's Alliance.⁵ That would have left the Social Democrats in an awful position, and their acquiescence in the Socialist proposal could not be excluded. In the end the Progressives and the Social Democrats were convinced enough of the need to wait for the Law of the Sea Conference. In return, Jóseppsson had them promise in private that immediately after its conclusion, the fishing limits would be extended.⁶

The Icelandic patience should not be explained by a reference to a sudden respect for the principle of negotiations about the delimitation of the sea. Iceland's power in any conflict with Britain, vested as it was in her strategic position in the North Atlantic, would decrease dramatically if the rulers in Reykjavík incurred the wrath of the authorities in Washington. It may be recalled that only the year before the prospect of American anger had encouraged the Progressives and Social Democrats to abandon their plan, admittedly always half-hearted, to expel US forces from the island. The happy ending had convinced the Americans that Socialist participation in the Icelandic government could be tolerated and in the spring and summer of 1957, the United States gave Iceland, which as usual needed assistance badly, a string of generous loans.⁷ But they were of course contingent upon an American presence in Keflavík and a pro-Western policy in Reykjavík.⁸ 'No base-no money' remained the message from Washington.

As before, however, the Icelanders could also play power politics. 'No money-no base' was another way to describe the bargaining. In the spring of 1957, the Soviet Union had renewed the pledge from the previous autumn to provide a huge loan in exchange for fish.⁹ The Progressives and the Social Democrats were not keen to

⁴ PRO: FO371/128768/NL1351/44, Gilchrist to FO, 6.6.1958 and 7.6.1957. FO371/128768/NL1351/46, Gilchrist to FO, 12.6.1957. Also Jóseppsson, *Landhelgismálid*, 34-36.

⁵ PRO: FO371/128768/NL1351/44, Gilchrist to FO, 6.6.1958.

⁶ Jóseppsson, *Landhelgismálid*, 36-37. These assurances were given in October, according to Jóseppsson.

⁷ Together, Iceland received more than \$14 millions. See Ingimundarson, *Struggle*, 52-55, and *Í eldlinu*, 346-362.

⁸ *FRUS 1955-1957 IV*, 620-623, Northern-European chiefs of mission conference, London, 19.-21.9.1957.

⁹ Ingimundarson, *Struggle*, 53-54, and *Í eldlinu*, 346-352. Also Ólafsson, *Kæru félagar*, 217-233.

increase the Icelandic dependence on the eastern bloc but the Moscow proposition was favourable, and they certainly knew how to use it. 'Iceland is playing off the West against the East to obtain finance', it was observed at the Bank of England.¹⁰ When Hans G. Andersen was pleading with Paul-Henri Spaak for one of the loans which, uniquely, was to be organised through NATO, he warned that a rejection could put Iceland into the clutches of the Soviet Union.¹¹ And that, it goes without saying, could not be allowed to happen. The Reykjavík government received the loan and gladly accepted the precondition that the Soviet advances would be rejected.¹² Although there was relief in Washington that Iceland was kept in the right camp, there was no happiness about Icelandic tactics and the price which had to be paid. 'Is Iceland blackmailing us?' asked an exasperated National Security Council official in August 1957.¹³ While 'blackmail' was too strong a word to describe the Icelandic negotiation tactics, the assistance to the left-wing government demonstrates brilliantly how the 'Communist bogeyman' continued to strengthen the Icelandic side on the Cold War field. The loans saga demonstrates as well how realistic or non-doctrinaire American decision-makers could be in the advancement of their most basic interest, the military and strategic position against the Communist bloc.¹⁴

The US willingness to go to almost any lengths to secure its strategic interests in Iceland was bad news for the British. During the four-mile dispute earlier in the decade, they had suffered the strategic strength of the demanding ally in the north and in the summer of 1957, Gilchrist heartily asserted what was to be mooted in Washington: 'blackmail' was without doubt the right word for Iceland's relations with the West.¹⁵ Within NATO, Britain was the strongest opponent of a special rescue operation for the Icelanders, arguing that the money would be wasted on over-ambitious projects in a badly run economy.¹⁶ Moreover, Britain would probably have liked to extend the 'no

¹⁰ BEA: OV35/7, note for the Deputy Governor, 26.8.1957.

¹¹ PRO: FO371/128756/NL10338/34, Andersen to Spaak, 1.7.1957.

¹² Ingimundarson, *Struggle*, 55. Also North Atlantic Treaty Organisation Archives, Brussels [henceforward NATO]: C-M(57)116, IS-0007, 'The Economic offence of the Sino-Soviet bloc'. Report by the Committee on Soviet Economic Policy, 21.8.1957.

¹³ DDE: White House Office, National Security Council Staff: Papers, 1948-61. Special Staff File Series, Box 3, 'Iceland', Weber memorandum, 20.8.1957. For similar expressions, see NA-CAN: RG25/6113/50373-1.2, Washington Embassy to Ottawa, 5.3.1957, and SA: UUKK, 6.9.1957.

¹⁴ Although any comparison with the Icelandic situation can only be indirect, see here Michael Hunt's survey of American 'opportunism' and ideology in relations with the Third World. Michael H. Hunt, 'Conclusions: the Decolonization Puzzle in US Policy: Promise versus Performance', in David Ryan and Victor Pungong (eds), *The United States and Decolonization. Power and Freedom* (Basingstoke: Macmillan 2000), 207-229.

¹⁵ PRO: FO371/128769/NL1351/60, Gilchrist to Roberts, 16.7.1957.

¹⁶ PRO: FO371/128756/NL10338/45, Brimelow minute, 1.8.1957, and FO371/128769/NL1351/64, Brimelow to Smart, Treasury, 9.8.1957.

base-no money' provision so that it would cover assurances on fishing limits as well.¹⁷ In fairness, John Muccio repeatedly conveyed to Foreign Minister Gudmundsson the 'sincere hope' that Iceland would refrain from a limits extension before the law of the sea conference.¹⁸ Undoubtedly, these representations influenced the decision to wait. They were not ultimatums, however. At the highest levels in Washington there was no doubt that strategically vital installations mattered more than the unconditional defence of a legal principle, not to mention the interests of some British trawlermen.

If this was not worrying enough in London, the United States appeared ever more willing to surrender fish for security all over the world. From the summer of 1956, when the International Law Commission gave its inconclusive verdict on territorial waters, American military thinkers had stepped up their effort to demonstrate to the 'free world' the numerous strategic disadvantages of extensions.¹⁹ 'The security interests of the US must outweigh all other considerations', stated the Department of Defense in late 1957, insisting that three miles for navigation be guarded and that the *quid pro quo* should be a 12-mile exclusive fishing limit.²⁰ Before the conference, the United States did not commit itself to such bargaining, preferring to see which way the wind would blow and toying with the idea of 'abstention', whereby only states which had fished in coastal waters would retain that right.²¹ Yet, a compromise on 12 miles for fishing would certainly be supported if the need arose, and that would probably be the case.²² The Americans knew just as well as most others who were preparing for Geneva that a pure three-mile limit would never be accepted there.

Furthermore, Canada was going to submit to the conference a proposal for an additional nine-mile fishing zone. Facing steadily increasing foreign fishing off its coasts, Ottawa had always been unwilling to take unilateral measures like Norway or Iceland but the conference seemed to offer an excellent chance to protect the fishing

¹⁷ PRO: FO371/128767/NL1351/17, interdepartmental meeting, 13.2.1957.

¹⁸ NARA: RG59/740B.022/2-1857, Stanford memorandum, 18.2.1957, RG59/740B.022/5-2157, Muccio to Dulles, 21.5.1957. PRO: FO371/128768/NL1351/44, Gilchrist to FO, 7.6.1957.

¹⁹ PRO: FO371/121205/GW1/67, Washington Embassy to FO, 30.8.1956. Also NATO: AC/100-VR/6, IS-AC-0370, verbatim record of presentations in connection with defence planning, 25.2.1956, and *FRUS 1955-57* XI, 559-566, Department of Navy memorandum, undated but received in State Department 25.10.1956. The arguments are familiar from earlier discussions of the British Admiralty's objections to a repudiation of the three-mile principle: expensive enforcement, navigational problems, possible closure of straits to warships, reduction of free air space, clandestine use of neutral territorial waters and increased difficulty in obtaining intelligence off foreign shores.

²⁰ NARA: RG59/399.731/11-157, Sanders to Burns, 1.11.1957, and RG59/399.731/12-2757, Sprague to Murphy, 27.12.1957.

²¹ NARA: RG59/399.731/10-57, Luboeansky to Dreier, 3.10.1957, and RG59/399.731/10-2157, Sanders memorandum, 22.10.1957.

²² *FRUS 1958-1960* II, 648, State Department paper, 20.2.1958.

grounds through international agreement.²³ On top of American ambivalence, the Canadian attitude could not but seriously worry the British. Other potential allies looked willing to break ranks as well. Both Norway and Denmark felt, like Canada, that the conference provided an opportunity to satisfy fishing interests without the unpleasantness of unilateral or legally debatable actions. Admittedly, Norway's maritime interests were still contradictory.²⁴ In the southern part of the country, the herring fishermen who sailed close up to other shores would be hurt by a general extension. Norwegian seal and whale hunters and the great merchant fleet were also against all encroachments on the high seas. On the other side, however, were the inshore fishermen off North Norway who demanded, as they had done in the late 1940s, an end to the 'trawler plague'.²⁵ Gradually, the advocates of extension gained a slight advantage. In late January 1958, Fisheries Minister Nils Lysö argued that on balance a 12-mile fishing limit would best serve the country's interests, and that if Denmark, Iceland and Canada all supported such a line at Geneva, then so must Norway.²⁶ (The reduction of territorial waters from four miles to three would have to be accepted as well). The Norwegian delegation was instructed to take no initiative but support the Canadian compromise when it had gained ground and even, instead of a breakdown of the conference, a 12-mile limit of territorial waters.²⁷

Danish views varied in a similar way. The fishermen of Denmark were against extensions and the authorities in Copenhagen were unwilling, as had been evident in the Anglo-Faroese negotiations earlier in the decade, to upset Britain or try to shape the law of the sea.²⁸ The Faroese, however, would not remain passive, especially if their neighbours the Icelanders cruised ahead of them. Already at the end of 1956, when Iceland had received Britain's tacit acceptance of a four-mile limit and an agreement on landings in the fishing ports, the Faroese wished for a revision of the more circumscribed limits which were negotiated with Britain the year before. The Danish authorities managed to stave off such calls by pointing to the forthcoming conference,²⁹ but an agreement on extensions there, for instance the Canadian compromise, would

²³ See A.E. Gotlieb, 'Canadian Diplomatic Initiatives: The Law of the Sea', in Michael Fry (ed.), *'Freedom and Change'. Essays in Honour of Lester B. Pearson* (Toronto: McClelland and Stewart, 1975), 136-140.

²⁴ For an overview, see Atle Søndena, 'Bakgrunnen for den norske fiskerigrenseutvidelsen i 1961', (BA thesis, University of Oslo), 1994, 35-58, and Fløistad, 'Hovedlinjene', 74-78.

²⁵ Fløistad, 'Hovedlinjene', 74-76.

²⁶ UD: 26.11/23/IX, Lysö to Foreign Ministry, 21.1.1958.

²⁷ SA: joint meeting of Foreign and Constitutional Committee and Maritime and Fisheries Committee, 19.2.1958.

²⁸ See section 2.5, 99-100, and Finn Laursen, *Danmark og havretten* (Copenhagen: Dansk Udenrigspolitisk Institut og Jurist- og Økonomforbundets Forlag, 1988), 17-23.

²⁹ RA-DEN: 55.DAN.31/VI, Svenningsen to Steensen-Leeth, 25.6.1957.

obviously solve a lot of problems for Denmark. Notwithstanding the preference for passivity, the Danish representatives at Geneva would endorse proposals for change if they thought they had a fair chance of success.³⁰

Thus, Britain could not count on the support of Denmark and Norway, just like she could exclude Canada outright and harbour serious doubts about the United States. And if that was the case with friends, what was to be expected from all the unmistakable opponents, like the Communist bloc, the South Americans and the newly independent states of Africa and Asia? They would all campaign for six, 12 or more.³¹ In short, all hopes that a pure three-mile rule could be sanctified at Geneva would be a sure sign of wishful thinking.

British preparations for Geneva only began in earnest in October 1957, four months before it was set to begin. Legal Adviser Fitzmaurice it was who shocked the system into action by a long memorandum on the conference ahead. His analysis was frank but fair: the three-mile rule would never be ratified at Geneva and an extension to 12 miles could only be avoided by the offer of some compromise line. Two main options should be considered, the Canadian suggestion of three-mile territorial waters and an additional nine-mile fishing zone, or, which Fitzmaurice seemed to favour, a six-mile limit for all purposes. If Britain and the United States promoted such a solution, along with 'reasonable concessions on fishery conservation' farther out, then they might just be able to hold the line.³²

The Legal Adviser's analysis caused little joy in Whitehall, although all professed that something had to be done.³³ But how hard it would be! The Fisheries Department pointed out that six miles was the absolute maximum which the industry could tolerate and the trawler owners themselves insisted that they could only accept such a concession if Britain would first 'fight tooth and nail' for the *status quo*. Six miles, moreover, might lead to the need for direct subsidies, a commitment which the government was keen to avoid. As for a 12-mile limit, that would simply 'ruin' the industry.³⁴ At a meeting with the owners on February 11, John Hare, who only the month before had become Minister of Agriculture, Fisheries and Food, promised that

³⁰ PRO: FO371/134956/NL1351/31, Copenhagen to FO, 29.1.1958.

³¹ See Swarztrauber, *Three-Mile Limit*, 209-210.

³² PRO: FO371/127722/GW1/112, Fitzmaurice memorandum, 16.10.1957.

³³ PRO: MAF209/1642, Wall to Wright, 15.11.1957, FO371/127722/GW1/112, Dickinson to Wright, 21.11.1957, and Hetherington to Wright, 22.11.1957.

³⁴ PRO: MAF209/1643, BTF minute, 17.2.1958. Also Brynmor Jones Library, University of Hull [henceforward BJL]: DPW/13/11, Phillips to Patrick Wall, 15.2.1958.

the three-mile rule would indeed be stoutly defended. Six miles would only be offered if it was absolutely essential and he did not mention at all the possibility of a 12-mile limit.³⁵ It was of course natural that a guardian of the industry's interests like Hare would listen to its opinions and he understandably did not want to start his tenure at MAFF by upsetting the BTF. Even so, it was unfortunate that claims about the calamitous consequences of a 12-mile limit were swallowed, hook, line and sinker. The injury was exaggerated and the history of the four-mile disputes with Norway and Iceland, where forewarnings about 'ruin' failed to materialise, should have been remembered.³⁶

Meanwhile, the Service Departments were as forthright in their fight for three-mile territorial waters. A retreat to six miles would close or restrict various high seas passages, and the old worries about disadvantages in wartime and increased opportunities for Soviet submarines resurfaced. The Chiefs of Staff concluded, therefore, that the lesser of two evils would be the three-mile territorial sea with additional fishing limits.³⁷ Six miles could be suffered in the last resort, but only if naval and air rights of free passage would still be measured from three miles.³⁸ As before, the Chiefs were too stuck in the past when they exaggerated the need for unchanged access to old outposts of the Empire. Speculations about the drawbacks of wider limits in a future war were unrealistic as well. As P.D. Nairne wrote in the Admiralty, a nuclear exchange would probably not leave Britain in a position to do much in the way of blockading enemy or neutral waters. Thus, 'it is doubtful whether wider territorial limits would be as embarrassing as they might at first appear'.³⁹ But Nairne clearly did not catch the attention of his peers, whose minds had been shaped in the naval battles of one or even two world wars. '[I]n strategic terms we're always thinking of the last war', one Whitehall official later lamented.⁴⁰

So, would no compromise fit with Britain's 'national interest'? There existed, as Deputy Cabinet Secretary Burke Trend wrote in mid-February, 'an almost insoluble conflict between strategic and economic interests'.⁴¹ Apparently, it could be as hard to get a policy accepted in London as it would be in the outside world. And there was not

³⁵ PRO: MAF209/1643, Wall minute, 17.2.1958.

³⁶ Catch figures in the 1960s were to show that fishing outside 12 miles remained feasible. *Fisheries Jurisdiction in Iceland* (Reykjavík: Ministry for Foreign Affairs, 1972), 10-11.

³⁷ PRO: DEFE4/103, COS(58), 8th meeting, 23.1.1958.

³⁸ PRO: CAB129/91, C(58)37, Nutting memorandum, 14.2.1958. On passage rights, see Churchill and Lowe, *Law*, 68-76.

³⁹ PRO: ADM1/26551, Nairne minute, 27.1.1958. For similar doubts about the disadvantage of wider territorial waters for the acquisition of intelligence, see Director of Naval Intelligence minute, 1.1.1958.

⁴⁰ Sir Guy Millard, Private Secretary to Anthony Eden, quoted in Hennessy, *Muddling Through*, 130.

⁴¹ PRO: CAB21/2762, Trend minute, 17.2.1958. Also LCO2/7798, Dobson minute, 17.2.1958.

much time to spare. Only on February 18 did the Cabinet discuss Britain's policy on territorial waters, less than a week before the start of the conference and for the first time in five years if a short mention of the Icelandic dispute in 1956 is excluded. Yet this was an avowed 'vital interest'. Symbolically, the item was last on the agenda and the minutes indicate a fairly brief discussion. The Attorney General, Sir Reginald Manningham-Buller, pointed out that the law of the sea was not developing in Britain's favour but other Ministers emphasised that the trawling industry relied on narrow limits. A six-mile concession seemed tolerable but only if present passage rights were maintained. The meeting admitted, however, that the conference would hardly bless such a reservation and Macmillan summed up by saying that 'our aim must be to promote a majority decision by the Conference which would inflict the least damage to our own interests, both strategic and economic'. Manningham-Buller, who was to lead the British delegation at Geneva, was instructed to report on initial developments there before the government would commit itself to any particular policy.⁴² Britain would wait and see.

The belated handling and the rather rash conclusion demonstrate a double indolence. On the one hand, if the delimitation of territorial waters concerned Britain so much, then the matter should have been debated in detail. On the other hand, a frank examination of that kind might have forced the decision-makers in the highest echelons of power in London to realise that the times were changing, regardless of British wishes to the contrary. Here again, therefore, was the problem of 'pragmatism'. The preference for reaction and aversion to forward thinking lessened the likelihood of a well worked-out policy. Quiet, calm deliberation would not untangle the maritime knot because time had run out.⁴³ Already in the summer of 1957 did officials at the Fisheries Department worry about 'the apparent lack of drive in the Foreign Office in these matters'.⁴⁴ Tellingly, they failed to have the forthcoming conference discussed at a meeting of Commonwealth Prime Ministers even though they described it as 'the biggest thing in international law which has hit this country'.⁴⁵ But since it had not hit already it was not worth debating.

Instead, the 'pragmatic' wait-and-see attitude increased the danger of 'groupthink', wishful thinking and short-sightedness—all blemishes which before had

⁴² PRO: CAB128/32, CC(58), 17th meeting, 18.2.1958. CAB21/2762, Trend minute, 17.2.1958.

⁴³ 'Quiet, calm deliberation disentangles every knot' was a favourite maxim of Macmillan. See Peter Hennessy, *The Prime Minister: The Office and Its Holders Since 1945* (London: Allen Lane, 2000), 253-254.

⁴⁴ PRO: MAF209/1642, Savage minute, 29.5.1957.

⁴⁵ PRO: DO35/9053, Diggins minute, 6.6.1957.

led to miscalculations in Britain's failed fight for freedom of the high seas. First, Fitzmaurice unquestionably knew most in London about the prevailing currents in the law of the sea, and outside Whitehall he privately admitted that only a proposal on the Canadian lines stood any chance of acceptance at Geneva.⁴⁶ His more circumspect observations in the 'long memorandum' and elsewhere were probably influenced by the calculation, equally correct, that whatever he might argue within Whitehall, officials who knew less about the external factors but held strong convictions about what Britain could tolerate would never agree to anything like the Canadian alternative. The politicians would be even less knowledgeable and more prejudiced.

A fair degree of wishful thinking could also go unchecked when there was so little time to examine the actual situation. In general, it is a well known phenomenon that under stress, decision-makers tend to suppress negative input and exaggerate the potentiality of their previously held beliefs.⁴⁷ When the Cabinet discussed the six-mile offer on February 18, the reservations which Fitzmaurice had stressed in his memorandum on that concession—the rights of coastal states to regulate fisheries outside territorial waters and the absolute need for unity with the United States—were never mentioned. On the contrary, the proposal was made yet more unattractive to the majority of participants at Geneva by the rider on passage rights up to three miles. Admittedly, Ministers realised that such a reservation might well not be accepted.⁴⁸ In fact, it was definitely a 'non-starter', as Fitzmaurice wrote in retrospect, but always knew.⁴⁹ The Americans, furthermore, seemed determined not to waver at all from the three-mile limit of territorial waters.⁵⁰ For them, the British approach was anathema.

The promise to fight stoutly before any peace offer at Geneva was also detrimental. At home, Hare and other British statesmen could reap some short term rewards by putting up a hopeless but heroic resistance. On the other hand, at the conference and in the long run, serious damage could result from the bravado. In particular, the obstinacy might have adverse effects off Iceland. In the last days before the conference, Ambassador Gilchrist felt that although the Icelanders were determined to extend the fishing limits, the Prime Minister, the Foreign Minister and many others wanted Britain to 'build a bridge'. They did not spell out how it should be constructed and Gilchrist may have exaggerated the goodwill, but his conclusion was correct: 'If we

⁴⁶ UD: 26.11/23/VIII, Seyerstad minute, 4.11.1957. NARA: RG59/399.731/2-2158, Gowen to Dulles, 21.2.1958.

⁴⁷ See Vertzberger, *The World*, 98-99, 120, 189-191, and Holsti, 'Theories', 99-136.

⁴⁸ PRO: CAB128/32, CC(58), 17th meeting, 18.2.1958.

⁴⁹ PRO: FO371/133746/GW11/19, Fitzmaurice report, July 1958.

⁵⁰ NATO: C-R(58)11, IS-0008, NAC meeting, 22.2.1958.

don't build a bridge, we shall be confronted with unilateral extensions, as sure as eggs is eggs'.⁵¹ This was true but in February 1958, worries about the mood in Reykjavík could be put off. First, Britain would have to state her case at Geneva, ominously described on the eve of the conference as 'the last resting place of so many lost causes'.⁵²

⁵¹ PRO: FO371/134956/NL1351/35, Gilchrist to Brimelow, 14.2.1958. Also NARA: RG59/399.731/2-2458, Muccio to Dulles, 24.2.1958.

⁵² *Manchester Guardian*, 4.2.1958.

3.2. *Dead Ducks, Non-Starters and a Stab in the Back: The Geneva Conference, 1958*

On February 24, 1958, the first United Nations Law of the Sea Conference began in Geneva. Delegates from 87 states gathered to decide on numerous maritime matters.⁵³ The breadth of the territorial sea was most significant but the regime of fishing and navigation on the high seas would also be debated, as well as the continental shelf and the rights of landlocked states. Discussions would first take place in committees and then be followed by a plenary session where proposals would need a two-thirds majority for approval.⁵⁴ It was a mammoth gathering, the largest conference which the United Nations had ever organised.

The magnitude showed. After about four weeks of deliberations, progress had been disappointingly slow. In addition to a prolonged wrangle about procedure, the delegates had—almost ritualistically—spent much time establishing that they were determined to stand their ground.⁵⁵ In the process, four main groups evolved: the Soviet bloc was the most cohesive and had a clear aim, to advocate the 12-mile limit of territorial waters. The Afro-Asian bloc was also for extensions, united by a resistance to all forms of ‘colonialism’ and Western exploitation. Similarly, the Latin American bloc wanted action but was divided into the ‘200-milers’ and more moderate countries. And then there was the group which advocated or accepted narrow territorial waters, consisting mainly of Western states (apart from Canada and Iceland of course).⁵⁶

The real differences of opinion were worsened by a clash in approaches to the conference. For most of the Latin Americans and Afro-Asians, it was a political venue. Repeatedly and lengthily, they spoke about colonial injustice and rejected all references to established international law. Conversely, the ‘learned’ representatives of the West, annoyed by the harangue, tried to highlight the juridical, historical, economic and strategic reasons for the reinforcement of the three-mile rule.⁵⁷ Britain, the erstwhile

⁵³ The number of states attending fell by one during the conference because of the unification of Egypt and Syria in the United Arab Republic. For an overview of the conference, see Swarztrauber, *Three-Mile Limit*, 209-214, and W.W. Bishop, ‘The 1958 Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas’, *Columbia Law Review*, Vol. 62, No. 7, 1962, 1206-1229.

⁵⁴ See Davis, *Iceland*, 78-80.

⁵⁵ PRO: FO371/133266/UEW11/100, Greenhill to Sudbury, 2.4.1958.

⁵⁶ For a detailed analysis of the blocs, see Alexander Govin Nadeson, ‘An Analysis of the Geneva Conferences on the Breadth of the Territorial Sea’, (PhD-thesis, The American University, Washington, DC, 1968), 58-76.

⁵⁷ PRO: FO371/133746/GW11/19, Fitzmaurice report, July 1958, NARA: RG59/399.731/4-2758, Geneva delegation to Washington, 27.4.1958. Division of Rare and Manuscript Collections, Cornell University

master of the seas, was then in the forefront, led by the formidable Manningham-Buller. A leading silk and practitioner at the Bar, he was known to friends as 'stout and stalwart' but as 'Bullying Manners' to others.⁵⁸ True to brief and nature, he defended the three-mile rule with much aplomb.⁵⁹ Behind the scenes, however, Manningham-Buller held the limited six-mile concession in reserve and tried to convince the American representatives of its benefits.⁶⁰ They, in turn, urged the British to embrace the Canadian initiative (which quickly had become known as the '3+9' proposal), once it was absolutely clear that the three-mile limit would not be ratified. The British approach, complained Arthur H. Dean, the leader of the United States delegation, was 'completely unrealistic' and could cause great damage.⁶¹ For if the West was to have its way, unity was vital.

Already on March 4, the United States therefore decided to use what was known in Washington as the 'Dear Harold' strategy:⁶² President Eisenhower expressed to Prime Minister Macmillan his grave concerns over the refusal to accept the '3+9' proposal.⁶³ The pressure resulted at once in a frantic re-examination in the British camp. On the battlefield, Manningham-Buller and Fitzmaurice thought that if the US-Canadian approach looked likely to achieve the required majority at the conference with British support, then it should be supported.⁶⁴ This was quite a turnaround. Observing events in Geneva for the BTF, Sir Farndale Phillips was dismayed and back in Britain, the Fisheries Department continued to record the 'calamitous' effects of a 12-mile fisheries limit.⁶⁵ Somewhat surprisingly, the Chiefs of Staff did not welcome the proposed change either. Having conceded before the conference that a further fishing zone might be the necessary price for narrow territorial waters, they now argued that on close examination a further fishing limit was in fact inadmissible since it could

Library, Ithaca, New York [henceforward CUL]: 4100, Box 85, Dean to Ehrlich, 15.4.1958, and BA-BML: B116/13178, Meseck minute, 26.4.1958.

⁵⁸ For the former description, see Peter Rawlinson, *A Price Too High. An Autobiography* (London, 1989), 246. For the latter, see Alistair Horne, *Macmillan 1957-1986. Volume II of the Official Biography* (London: Macmillan, 1988), 347.

⁵⁹ Davis, *Iceland*, 31, and *Times*, 26.2.1958.

⁶⁰ PRO: CAB129/92, C(58)52, Lloyd memorandum, 25.2.1958.

⁶¹ NARA: RG59/399.731/3-458, Dean to Dulles, 4.3.1958.

⁶² On this description, see DDE: Christian A. Herter Papers. Box 4, Chronological File – March 1958 (4), Herter to Jandrey, 8.3.1958.

⁶³ *FRUS 1958-1960 II*, 651-652, Eisenhower to Macmillan, 4.3.1958.

⁶⁴ PRO: MAF209/1643, Wall to Hitchman, 4.3.1958, and CAB21/2762, Trend minute, 10.3.1958.

⁶⁵ BJL: DPW/13/200, Phillips to Patrick Wall, undated but written in early March 1958. PRO: MAF209/1643, Savage minute, 5.3.1958.

eventually become a proper territorial sea. Britain should simply stick to the tried and tested three-mile rule.⁶⁶

The disregard for realities is stunning. The Chiefs might as well have decided that British supremacy in the age of *Pax Britannica* had been very pleasant and should be re-established. Unfortunately, however, the defenders of fishing and strategic interests in Whitehall seemed more convincing than the messengers from the front. The proceedings at Geneva had developed into something resembling a crisis and such situations may result in a 'contraction of authority', when top decision-makers overrule lower-level specialists.⁶⁷ Moreover, Manningham-Buller misread the currents at the conference and quickly felt that the fight for the three-mile rule was not yet lost, especially if an agreement on regulated fishing on the high seas could be established.⁶⁸ On March 8, Macmillan said so to Eisenhower, and greatly exaggerated the supposedly disastrous economic consequences of a 12-mile limit, weaving in some strategic losses for good measure:

You ask that commercial considerations should not be permitted to control. It is not merely a matter of commerce, but of the livelihood of a large number of people of this country. Arrangements which denied to our nationals our traditional fishing grounds on the high seas, as a general extension of fishery limits to 12 miles would do, would put in jeopardy the very existence of the most modern part of our fishing fleet ... which is of great strategic importance to us in terms of both men and ships.⁶⁹

Four days later, the Prime Minister wrote the President again, stating the British belief 'that there may be quite a measure of support for a three-mile limit for all purposes'.⁷⁰ But this 'Dear Ike' persuasion did not work. 'We believe this is wishful thinking', the American delegation at Geneva rightly commented, 'and longer UK postpones facing up to hard decision the more difficult it will be to keep those who want to help us in line'.⁷¹ On March 14, Eisenhower urged Macmillan afresh to reconsider.⁷² So shortly after Suez, the Prime Minister might have been expected to heed the American advice. His top priority, it has been said, was the resurrection of the 'special relationship'

⁶⁶ PRO: DEFE4/105, C.O.S. (58) 22nd meeting, 7.3.1958. Also DEFE5/82, COS(58)69, Vice Chief of Naval Staff note, 11.3.1958.

⁶⁷ Charles Hermann, *Crises in Foreign Policy. A Simulation Analysis* (New York: Bobbs-Merill, 1969), 161, 163. A similar thing had happened to Fitzmaurice during the Suez debacle. 'Fitz is the last person I want consulted', Anthony Eden is then to have retorted. 'The lawyers are always against our doing anything'. Anthony Nutting, *No End of a Lesson: the Story of Suez* (London: Constable, 1967), 95

⁶⁸ PRO: CAB129/92, C(58)58, Manningham-Buller memorandum, 7.3.1958.

⁶⁹ PRO: PREM11/2976, Macmillan to Eisenhower, 8.3.1958

⁷⁰ PRO: PREM11/2314, Macmillan to Eisenhower, 12.3.1958.

⁷¹ *FRUS 1958-60 II*, 656, Geneva delegation to Washington, 12.3.1958. Also KCLMA: MF602-0096, Herter memorandum, 13.3.1958.

⁷² *FRUS 1958-60 II*, 658, Eisenhower to Macmillan, 14.3.1958.

between Britain and the United States.⁷³ Furthermore, Manningham-Buller had lost his short-lived hope for the survival chances of the three-mile limit and Fitzmaurice, never as optimistic, wrote to London on the same day as Eisenhower: 'It is perhaps not realised at home that at present the United Kingdom position at the conference is one of the most intransigent'.⁷⁴ Macmillan, understandably, got both angry and confused. 'Someone will have to try to analyse for me this position. Fitzmaurice's last telegram *goes back* on everything I have been made to say to the President'.⁷⁵

Yet no change occurred. On March 18, the Cabinet decided to introduce the six-mile alternative when the time was ripe and oppose the '3+9' option.⁷⁶ The 're-representation' of the problem had, if anything, hardened the Cabinet. Just like Britain had ignored adversary developments in the Icelandic dispute earlier in the 1950s, she would now, to use descriptions from theories on decision-making, 'toughen it out' instead of executing 'corrective action in response to negative feedback'.⁷⁷ The United States would be snubbed, on a matter which was supposedly of vital interest to Western security. Thus, the theory on the 'special relationship' after the upset in 1956 is either wrong or, which seems more likely, it has its limitations. A rift with Washington could be risked at Geneva because decisions on the law of the sea could hardly create an immediate crisis of Suez proportions.

The primacy of domestic politics was yet again demonstrated. Macmillan's remonstrations with Eisenhower had highlighted this British lodestar on the law of the sea. John Hare, so new and presumably eager at MAFF, must have had a major say in the outcome. He was, as Alistair Horne wrote, 'an influential man for whom Macmillan had great personal respect'.⁷⁸ Hare had seemingly found it easy to convince his colleagues that the British delegation should put up a fight, if only to show the trawling industry that they were not being abandoned.⁷⁹ Macmillan also admitted at a later stage that '[i]t is easy for us to gain political prestige here by an intransigent attitude'.⁸⁰ A retreat, meanwhile, would have been condemned. Indeed, at Geneva both Manningham-

⁷³ E.g. Dickie, '*Special*' *No More*, 97, and Reynolds, *Britannia Overruled*, 205.

⁷⁴ PRO: CAB21/2762, Fitzmaurice to FO, 14.3.1958.

⁷⁵ PRO: PREM11/2314, Macmillan minute, undated but from 14.-18.3.1958.

⁷⁶ PRO: CAB128/32, CC(58), 24th meeting, 18.3.1958.

⁷⁷ See Billings and Hermann, 'Escalation or Modification', 1. Also section 2.2, 76-77.

⁷⁸ Horne, *Macmillan 1957-1986*, 344.

⁷⁹ PRO: CAB130/145, GEN.642, 1st meeting, 20.3.1958.

⁸⁰ Department of Special Collections and Western Manuscripts, Bodleian Library, University of Oxford [henceforward BOD]: MSS. Macmillan, diary, 21.4.1958.

Buller and Fitzmaurice forwarded to the Americans the Cabinet's gloomy prediction that acceptance of the '3+9' proposal might even bring down the government.⁸¹

This danger was exaggerated, or probably non-existent. But here the trawlermen and owners were the proverbial 'tough guy in the back room'; the British version of Iceland's Communist bogeyman. The problem was only that angry fishermen on Humberside did not convey as much fear in Washington as the image of 'Communists' taking over in Reykjavík. The Americans continued to reject Britain's six-mile idea and stuck to the Canadian proposal.⁸² In private, Fitzmaurice seriously doubted whether the right course had been taken and Manningham-Buller advised Macmillan that the '3+9' option definitely served British interests better than breakdown at Geneva, the most likely result of Western disunity.⁸³ As before, however, the pressure for change was resisted. A decision had been made and wishful thinking was stronger than a sober acceptance of negative realities.

On March 29, the feared breakdown began in earnest. The Canadians formally tabled the '3+9' solution, more determined than ever to advance their claims.⁸⁴ In the next few days, some 20 proposals were submitted to the conference, ranging from motions on a six-mile limit to a number of proposals which allowed states to claim territorial waters up to 12 miles, and even more in special circumstances.⁸⁵

The moment to counter had arrived. On April 1, Great Britain submitted her qualified six-mile offer. Manningham-Buller's voice, it was noticed, was fraught with emotion when he introduced the proposal, emphasising that it was a huge sacrifice for the sake of a solution.⁸⁶ He added, however, that Britain still viewed three miles as the proper limit of territorial waters, apart from the Scandinavian four-mile line.⁸⁷ And this was the crux of the matter. The British 'concession' was no such thing. Admittedly, the fishing limit was to be widened but with the caveats about air and sea passage, the additional three miles meant practically nothing to many states. Nonetheless, by providing an option on the smallest possible concession, the move did serve the purpose of reducing the prospect of approval for the Canadian alternative. The Americans, who

⁸¹ *FRUS 1958-60* II, 661, 665, Geneva delegation to Washington, 17.3.1958 and 20.3.1958.

⁸² *FRUS 1958-60* II, 667-668, 674-676, Geneva delegation to Washington, 25.3.1958 and 30.3.1958.

⁸³ UD: 26.11/23/XII, Stabell minute, 24.3.1958, and PREM11/2314, Manningham-Buller to Prime Minister, 28.3.1958.

⁸⁴ PRO: ADM1/27059, minute on Commonwealth delegations meeting, Geneva, 22.3.1958.

⁸⁵ Jónson, *Friends*, 77, and Ólafsson, *Saga*, 158-159.

⁸⁶ *Morgunbladid*, 17.4.1958.

⁸⁷ *Times*, 2.4.1958.

had sensed a growing support for the '3+9' solution before the British action, were forced to rethink their strategy.⁸⁸

Therefore, on April 15, the next shock came at Geneva: The United States put forward a proposal on six-mile territorial waters and an extra six-mile fishing limit, but with 'historic rights' of fishing preserved in the outer zone. The six-mile concession was calculated to satisfy most security concerns, and calls for fisheries conservation should partly be met by the outer zone, whereas distant-water fishing nations would also be content with the preservation of historic rights. A number of states which had been prepared to support the '3+9' proposal decided to back the American initiative. Norway and Denmark were among the converts and the solution seemed ideal for British trawling interests in the North Atlantic.⁸⁹ Still, British officials and Ministers found it extremely hard to endorse the idea. Duncan Sandys, the Minister of Defence, immediately wrote to Macmillan that Britain simply could not accept anything beyond three miles unless all existing rights of innocent passage were preserved.⁹⁰ In the first of two meetings the same day, the Cabinet accepted Sandys's arguments but then realised that if the strategic aspect was good enough for the United States, it should be good enough for Britain. The British delegation would support the American proposal for the remainder of committee sessions at Geneva and in plenary session as well if satisfactory assurances on passage provisions had then been achieved.⁹¹

At last, Britain and the United States had found common ground. It would have happened sooner if proper preparations for the conference had taken place in London. 'It was unsatisfactory that decisions on such important issues had to be taken at such short notice', Ministers agreed in their latter session on April 15. In addition, the Anglo-American insistence on a fight for the three-mile limit before the offer of concessions—in a way a policy of burning bridges before trying to build them—reduced the chance of success for the new alternative. Many states had been hardened by the preceding intransigence and little room remained for substantial lobbying. Macmillan, for one, was by no means confident this eventful day: 'The maritime powers are isolated, and in spite of much help from US, almost powerless'.⁹²

⁸⁸ *FRUS 1958-60 II*, 683-685, Geneva delegation to Washington, 9.4.1958.

⁸⁹ For a detailed examination of Norway's position at the conference, see Søndena, 'Bakgrunnen', 65-85. For Denmark, see Laursen, *Danmark og havretten*, 17-23.

⁹⁰ PRO: PREM11/2314, Sandys to Macmillan, 15.4.1958.

⁹¹ PRO: CAB128/32, CC(58), 31st meeting, 15.4.1958, and 33rd meeting, 21.4.1958.

⁹² BOD: MSS. Macmillan, diary 15.4.1958.

The new proposal would always be opposed by the Communist countries and a sizeable number of states in the other non-Western blocs. The decision to steer closer to Britain also separated the Americans from the Canadians and when the motion was in preparation, George Drew, High Commissioner in London and leader of Canada's delegation, condemned the British for luring the United States away from the '3+9' solution. '[H]e attacked me personally and was most abusive', said Manningham-Buller after one of their encounters.⁹³ The Canadians went on the offensive and offered a new combination of six-mile territorial waters (even wider for those states which had already made such claims), with an outer six-mile zone of exclusive fishing rights.⁹⁴ Thus, despite the ingenuity of the American compromise, Western harmony had not been achieved.

And Canada was not the only ally to dissent. Her anger paled next to the indignation in Iceland. From the onset at Geneva, the Icelanders had supported the '3+9' proposal but proposed as well that nations which were 'overwhelmingly dependent' on fisheries should have preferential access to fishing grounds outside national jurisdiction.⁹⁵ Likewise, Icelandic Ministers reiterated previous assertions about an immediate decision on extension after the conclusion of the conference.⁹⁶ In mid-April, the US proposal was therefore a huge disappointment, and reported as a 'stab in back', cabled Theodore Olson, the American Chargé d'Affaires in Reykjavík.⁹⁷ From left to right, the Icelanders condemned the move, for the reserved historic rights to work up to six miles would be maintained by all states which had fished in the region for the previous decade.⁹⁸ Moreover, as Olson added, '[w]orst danger ... is psychological and political impact on US-NATO defence relationship'.⁹⁹ Foreign Minister Gudmundsson had been quick to tell the Americans and other Western representatives in Reykjavík that the passing of the new offer at Geneva could have 'the most serious consequences for Iceland's foreign policy'.¹⁰⁰ 'No support-no base', was the signal which could be

⁹³ PRO: PREM11/2314, Geneva delegation to FO, 14.4.1958. On the personal animosity between Manningham-Buller and Drew, see also UD: 26.11/23/XII, Stabell minute, 31.3.1958.

⁹⁴ *Times*, 19.4.1958, and Gotlieb, 'Canadian Diplomatic Initiatives', 141.

⁹⁵ Jónsson, *Friends*, 80-83, and Ólafsson, *Saga*, 171-184. Iceland had originally put this idea forward at the Rome conference in 1955 on the living resources of the sea.

⁹⁶ E.g. Foreign Minister Gudmundsson's statement in *Althýdubladid*, 11.3.1958, and PRO: FO371/134958/NL1351/73, Gilchrist to FO, 15.4.1958.

⁹⁷ NARA: RG59/399.731/4-1658, Olson to Dulles, 16.4.1958. Also *FRUS 1958-60* II, 699, Olson to Washington, 17.4.1958, and Magnúss, *Landhelgisbókin*, 77-78.

⁹⁸ The period was reduced to five years later in the conference.

⁹⁹ NARA: RG59/399.731/4-1858, Olson to Dulles, 18.4.1958.

¹⁰⁰ UD: 26.11/23/XIII, Reykjavík Embassy to Foreign Ministry, 18.4.1958. Also PAAA: B80/244, Hirschfeld to Bonn, 17.4.1958, and PRO: FO371/134958/NL1351/74, Gilchrist to FO, 17.4.1958.



Figure X. 'Are the Americans biting Iceland in the back at the fatal moment?' An Icelandic cartoon, May 1958.

read between the lines, not because Gudmundsson or other pro-Western politicians so wished, but because the public would supposedly accept the Socialist line that an enemy over fishing limits was an enemy in other fields as well. As intended, the United States took fright. The rulers in Reykjavík were immediately told that the American administration appreciated the 'unique position and problems of Iceland' and was urgently seeking ways to recognise that fact.¹⁰¹ The result was not very encouraging, however. First, the closure of Faxa-Bay was offered; a measure which, as Gudmundsson brusquely pointed out, had already been secured *de facto*.¹⁰² A promise on 'abstention' was then aired but, again, the Icelanders were after more than the *status quo*.¹⁰³ And if the Americans were to go further to meet Icelandic demands, they might lose support elsewhere. When Arthur Dean was working to secure British acquiescence in the US proposal, Manningham-Buller had ascertained that the historic rights in the proposal were 'clearly intended to cover our rights off Iceland'.¹⁰⁴

This dilemma had not been solved when the conference drew to a close. Agreement was reached on various important aspects of the law of the sea; including the use of baselines, a 12-mile contiguous zone for fiscal and sanitary purposes and innocent passage through international straits, a particular British worry. Furthermore, coastal states were granted exclusive rights to mineral sources on their continental

¹⁰¹ NARA: RG59/399.731/4-1758, Herter to Reykjavík, 17.4.1958. Also *Morgunbladid*, 16.4.1958.

¹⁰² NARA: RG59/399.731/4-2058, Olson to Dulles, 20.4.1958.

¹⁰³ NARA: RG59/399.731/4-2158, Herter to Geneva delegation, 21.4.1958.

¹⁰⁴ PRO: PREM11/2314, Manningham-Buller to FO, 14.4.1958.

shelf, as well as all living resources ‘in constant physical contact with the seabed’.¹⁰⁵ This success, however, was overshadowed by the failure to settle the all-important width of territorial waters. In the final vote on April 25, no proposal received the necessary two-thirds majority. The American submission came closest, with 45 in favour, 33 against and seven abstentions.¹⁰⁶ In the early hours of April 27, the conference was over.

Overall, the proponents of narrow territorial waters could take some solace from suffering the smallest defeat at Geneva. The ratification of a 12-mile rule had also been averted. Moscow had of course campaigned for that limit and Macmillan was ‘highly pleased over the outcome and Soviet diplomatic defeat’.¹⁰⁷ This joy was apparent in American circles as well.¹⁰⁸ But it was misguided. At Geneva, the battle lines were not primarily drawn from east and west, but from north and south. Macmillan, Manningham-Buller, Dean, Dulles and other Western personalities would have benefited from ‘taking off the Cold War lens’.¹⁰⁹ The common cause of the Soviet Union and, say, Mexico, Saudi Arabia and Iceland was more tactical and anti-colonial than Communistic. Thus, the alleged triumph over Soviet machinations was rather shallow and on closer look, Britain had few reasons to be cheerful. The Icelanders and other progressive ‘extensionists’ could be happier with developments at Geneva than the ‘three-milers’. As Fitzmaurice summed up, for Britain the conference was ‘a prolonged holding operation’ which had succeeded there and then. ‘But time is not on our side’.¹¹⁰

So, what lessons could be drawn from the whole colloquy? First, the three-mile rule was clearly ‘a dead duck’.¹¹¹ Consequently, the British policy of offering only the smallest concessions at the last possible moment had been fallacious. Much later, when Fitzmaurice had become one of Britain’s leading experts on international law, he cited the 1958 conference to support the contention that ‘the lesson of the Sibylline books is

¹⁰⁵ See Arthur H. Dean, ‘The Geneva Conference on the Law of the Sea: What was Accomplished’, *AJIL*, Vol. 52, No. 4, 1958, 616-624.

¹⁰⁶ Ólafsson, *Saga*, 169. The Canadian proposal received 35 ayes, 30 nays and 20 abstentions.

¹⁰⁷ NARA: RG59/399.731/4-2558, Dean to Dulles, 25.4.1958.

¹⁰⁸ NARA: RG59/399.731/4-3058, Dulles to Dean, 30.4.1958

¹⁰⁹ For this description, see Matthew Connelly, ‘Taking Off the Cold War Lens: Visions of North-South Conflict during the Algerian War for Independence’, *American Historical Review*, Vol. 105, No. 3, June 2000, 739-769. At Geneva, some Western representatives realised that the real divide was not between East and West but between, as the German Fisheries Director Gerhard Meseck put it, ‘the white race’ and the ‘coloured races’. BA-BML: B116/13178, Meseck minute, 26.4.1958.

¹¹⁰ PRO: FO371/132669/UEW11/174, Fitzmaurice to FO, 29.4.1958.

¹¹¹ PRO: FO371/133750/GW12/2, Wright minute, 1.7.1958. Also FO371/133746/GW11/19, Fitzmaurice report, July 1958, and Davis, *Iceland*, 87.

to accept the possible when it is still timely'.¹¹² The narrative has brought up familiar flaws in British decision-making which explain why this advice was not heeded: conservative strategic considerations, influence of pressure groups, wishful thinking and preference for reactive 'pragmatism', that great misnomer. The legalistic approach to the conference was equally unfortunate, or the departure from 'our standard operational procedure', as Andrew Gilchrist wrote, 'that the law is an adjunct to diplomacy and must never become a substitute for it'.¹¹³ The rather quixotic fight against 'Communist' calls for wide territorial waters was also damaging, as was the feud between Manningham-Buller and George Drew. The deeper, theoretical explanations must not exclude the significance of individuals and chance. Although not likely, it is possible that smoother men than 'Bullying Manners' and Drew, once described as 'an exceptionally stubborn man',¹¹⁴ could have hammered out with Arthur Dean a more feasible compromise than the failed one at Geneva, for instance the idea of phased-out historic rights which was to be promoted by Britain, Canada and the United States at the follow-up conference two years later.¹¹⁵

The situation post-Geneva had, after all, to be kept in mind. Victories could be claimed in the conference hall but what would actually happen on the oceans? The British government swiftly declared that since no agreement had been reached, three miles still remained the proper limit of territorial waters.¹¹⁶ In reality, however, Britain looked prepared to keep alive a six-mile concession.¹¹⁷ In the North Atlantic, her most vital 'battlefield', the chances of such a settlement with Oslo and Copenhagen were fair. The Icelanders, on the other hand, had emphatically rejected a six-mile solution in any shape and form. In the spring of 1958, they seemed determined to extend further and Britain would hardly be able to do anything about it. Or would she?

¹¹² See Edward McWhinney, 'The Codifying Conference as an Instrument of International Law-Making: From the 'Old' Law of the Sea to the 'New'', *Syracuse Journal of International Law and Commerce*, Vol. 3, No. 2, 1975, 309. The story of the Sibylline prophetic books is that Tarquin, king of ancient Rome, eventually got only three of them for the same price that was initially set up for the whole set.

¹¹³ Gilchrist, *Cod Wars*, 106.

¹¹⁴ By Lester Pearson. CUL: 4100, Box 85, Dean to Dulles, 28.11.1958.

¹¹⁵ See section 3.9, 201. At the final session in Geneva in 1958, it was decided to recommend to the United Nations that another conference be held to seek an agreement on the width of territorial waters. Ólafsson, *Saga*, 185-188.

¹¹⁶ *Times*, 29.4.1958.

¹¹⁷ PRO: FO371/134962/NL1351/162, Manningham-Buller to Macmillan, 1.5.1958.

3.3. Cod War Scare. The Primacy of Domestic Politics and the Disregard for Diplomacy, April-August 1958

With hindsight, the last proper chance of bridge-building between Iceland and Britain was lost at the Law of the Sea Conference. Responsibility for this failure lay more in London than in Reykjavík and the consequences were serious. When that almost tragicomic affair called ‘cod war’ began in September 1958 and British warships were pitted against coast guard gunboats off Iceland, Thomas Brimelow wrote in the trenchant manner which often comes with knowing better but being ignored: ‘we are already reaping around Iceland the consequences of the orthodox legal doctrine which we upheld at Geneva’.¹¹⁸ Even so, developments in the summer of 1958 were also to demonstrate that divides may not be bridged if the people on the other side are against it. Or as the Icelandic saying goes: rarely bears but one side blame when two fall foul.

At once after Geneva, Fisheries Minister Jósepsson reminded his coalition partners of the promise from late 1957 to act when the conference was over.¹¹⁹ As it happened, they needed little incitement and Foreign Minister Gudmundsson told Gilchrist that an extension was both justified and inevitable.¹²⁰ Still, its means, timing and extent could be debated and Gudmundsson apparently admitted that immediate action would be both difficult and dangerous.¹²¹ For what might Britain do? The British Ambassador warned that his government ‘would not tolerate unilateral measures by Iceland on what Britain regards as the high seas’.¹²² The forceful assertion resembles Laurence Collier’s first reaction in Oslo to the full enforcement of the four-mile limit off Norway back in 1948; a warning which then turned out to be empty.¹²³ A decade later, Gilchrist was probably bluffing as well. During the Geneva conference, when Icelandic declarations about an imminent extension had led to calls on Humberside for naval protection, he reasoned that he simply could not ‘see the Americans ... being prepared to encourage us or to allow us to enforce any such thing’.¹²⁴ In the Foreign Office, ‘Micky’ Joy, deputy head of Northern Department, argued likewise.¹²⁵

¹¹⁸ PRO: FO371/134985/NL1351/822, Brimelow minute, 3.9.1958.

¹¹⁹ Vilhjálmur Hjálmarsson, *Eysteinn í stormi og stillu* (Reykjavík: Vaka, 1985), 69.

¹²⁰ Papers of Gudmundur Í. Gudmundsson, Reykjavík [henceforward GÍG]. IV: Gudmundsson memorandum, 28.4.1958.

¹²¹ PRO: FO371/134959/NL1351/93, Gilchrist to FO, 26.4.1958.

¹²² *Times*, 1.5.1958, and PRO: FO371/134960/NL1351/112, Gilchrist to Gudmundsson, 29.4.1958.

¹²³ See section 1.2, 31-35.

¹²⁴ PRO: FO371/134958/NL1351/80, Gilchrist to FO, 18.4.1958.

¹²⁵ PRO: FO371/134959/NL1351/101, Joy memorandum, 26.4.1958.

The question, therefore, was also what the United States would do. On May 5-7, NATO Foreign Ministers gathered in Copenhagen and both Iceland and Britain used the occasion to stress that they could not budge an inch (not to mention a mile). When Gudmundsson had repeated that Iceland could wait no longer to extend the limits, Selwyn Lloyd, the British Foreign Secretary, passed a slip of paper to John Foster Dulles, saying that in the past Britain would simply have broken off diplomatic relations and sent a battleship. 'Now they dare not break relations and have no battleship', Dulles thought to himself. And Britain, as he continued, presumably did not dare because the Icelandic Foreign Minister claimed that unless the government made a move, 'the Communists will take over'.¹²⁶ While Gudmundsson obviously disliked the Socialists' calls for immediate unilateral action, he unhesitatingly used—and overstated—their power to insist that his hands were tied.

This gamesmanship had worked well before. In Washington, Eisenhower had a brief look at reports from the NATO summit and was reminded of Bismarck's expression, 'the tyranny of weakness'.¹²⁷ The Icelanders were so feeble that they could not be fought, for that would be bullying, and their allegiance was strategically vital. Hans Morgenthau's warning about not allowing a weak ally to determine the decisions of stronger states, which was mentioned in connection with the Anglo-Norwegian dispute and the formation of the Atlantic Alliance, would be fitting here as well. Indeed, at the time the Icelandic dispute was mentioned as an example of 'the need and the cost of alliances'.¹²⁸ But still, should unilateral measures be tolerated? Between meetings in Copenhagen, Dulles said that an arrest of a trawler in disputed waters would in his mind constitute 'aggression on the high seas'.¹²⁹ While no solution was found at this stage, Gudmundsson promised a respite in Reykjavík of a week or so and Henrik Björnsson, the Permanent Secretary of Iceland's Foreign Ministry, continued consultations within the North Atlantic Council in Paris.¹³⁰

It was a fairly safe assumption that action in Iceland would not be postponed again. Britain was thus faced with an ultimatum and theories on negotiation state that such situations may simply stiffen and anger the adversary.¹³¹ Then again, they can also make people give in. After the Copenhagen summit, K.J. Pritchard in the Admiralty dug

¹²⁶ NARA: RG59, Bureau of European Affairs. Office of European Regional Affairs. Political-Military Numeric Files, 1953-62, Box 15, excerpt from a letter from Dulles to Eisenhower, 7.5.1958.

¹²⁷ DDE: Ann Whitman File, Dulles-Herter Series, Box 10, Eisenhower to Dulles, 7.5.1958.

¹²⁸ Woodhouse, *British Foreign Policy*, 100-101. Also section 1.2, 39.

¹²⁹ RA-DEN: 55.ISLAND.1/IV, Kronmann to Oldenburg, 8.5.1958.

¹³⁰ GÍG-I: Björnsson report, 7.-16.5.1958.

¹³¹ Lebow, *Art*, 84-85.

up the familiar reasons against a robust protection of British rights on the 'high seas'. It could seriously hurt NATO, the legal position was unclear, world opinion would severely criticise the use of force and the Navy would be hard put to provide constant patrol off Iceland.¹³² 'Perhaps Sandys has abolished the last gunboat', the *Economist* wryly commented a short while later, referring to the Defence Secretary's infamous White Paper of 1957 and its severe naval cuts.¹³³ Alliance officials also urged Britain to discount the naval option,¹³⁴ and despite the apparent firmness of Dulles, Iceland's reliance on the riches of the sea was appreciated in Washington. '[I]f any nation has the right to expand its exclusive fishing limits it is Iceland', said Christian Herter, Under-Secretary of State.¹³⁵ Dulles would in fact say, with more conviction than during the small talk in Copenhagen, that whereas he understood the apprehension over Iceland's intentions, he hoped that 'war would be waged on paper rather than with bullets'.¹³⁶ That, in short, was the American attitude: Britain should protest but not use force. The United States did not want a 'mini-Suez' in the North Atlantic.

But would the British obey? At Geneva they had ignored American wishes, in ostensible contradiction to the theory about post-Suez obedience to the United States. The following conflict with Iceland created another such discrepancy with the general rule. On May 15, a provisional decision was made in London. Should the Icelanders extend their fishing limits, British trawlers would be protected—even if, as Selwyn Lloyd noted, 'in an extreme case this policy might result in the sinking of an Icelandic gunboat'.¹³⁷ The lukewarm tolerance of NATO and American installations would then descend to new lows in Iceland. Yet, that risk was deemed worthwhile for a number of reasons, as familiar as the calls for caution. The five 'p's' reappear. First, there was the pressure from Humberside. 'Our fishing industry will be ruined', was Macmillan's main worry, not unfitting as such but greatly exaggerated.¹³⁸ Then there was Britain's prestige. While the Prime Minister did accept the constraints on the country's capabilities (and probably found it easier than his predecessors), he was fundamentally a romantic Imperialist who wanted the old naval power to maintain a leading role on the

¹³² PRO: ADM306/8, Pritchard to First Lord of the Admiralty, 12.5.1958, and note for First Lord, 13.5.1958.

¹³³ *Economist*, 7.6.1958, 874. Also Grove, *Vanguard*, 197-215.

¹³⁴ PRO: FO371/134963/NL1351/167, NATO Permanent Delegation to FO, 13.5.1958.

¹³⁵ *FRUS 1958-60* VII, 647, OCB meeting, 7.5.1958.

¹³⁶ PRO: FO371/134963/NL1351/174, Caccia to FO, 13.5.1958.

¹³⁷ PRO: CAB129/93, C(58)107, Lloyd memorandum, 14.5.1958, and CAB128/32, CC(58), 43rd meeting, 15.5.1958.

¹³⁸ BOD: MSS. Macmillan, diary, 15.5.1958. Also PRO: CAB129/93, C(58)99, Lloyd memorandum, 12.5.1958.

world stage.¹³⁹ A surrender to a tiny island over rights on the high seas did not befit such a state. The precedence involved would also be hurtful. Significantly, the Danes insisted that, accommodating as they were, under no circumstances should the Faroe Islands have to accept a worse arrangement with Britain than Iceland.¹⁴⁰ Moreover, the legal principle appeared to be impressive, or at least the traditional British view on the law of the sea. After Geneva, Manningham-Buller's thinking no longer needed to be restrained by considerations about the need for compromises. He concluded that 'the use of force by Icelandic vessels in support of the claim [for increased limits] would entitle us to use force, including armed force, in resisting it'.¹⁴¹ Lastly, the capability was there, almost enticingly. Notwithstanding the Admiralty's reservations, Britain had the power to act with vigour.

Thus, the 'tyranny of the weak' would be tested. Six warships were required for continuous patrol so two ships from the Home Fleet were made ready for use off Iceland with the Fishery Protection Squadron.¹⁴² Directives for trawler skippers were prepared, stating the need to concentrate under naval protection,¹⁴³ and whilst 'utmost endeavours' would be used to prevent the capture of trawlers, the Royal Navy should never open fire unless an Icelandic gunboat had done so first. The object would then be to destroy the vessel's gun, not to sink it.¹⁴⁴ But despite the reservations, Britain was ready to wield force in the North Atlantic for the first time since the Second World War, and against an important ally in NATO. That was quite a commitment for cod.

Iceland was yet to take the final plunge. On May 15, the day of the British Cabinet decision on naval protection, Permanent Secretary Björnsson told Foreign Minister Gudmundsson from the Council talks in Paris that if the Icelanders offered fishing rights for 3-4 years in the outer six miles of a 12-mile zone, there would be just a chance of an agreement.¹⁴⁵ After this weak hint of hope, extremely tense and complicated debates began in Reykjavík. Although Jóseppson knew about the NATO discussions, he was never privy to them and now threatened that if the government did not issue new

¹³⁹ Young, *Britain*, 174-176. Also Anthony Sampson, *Macmillan. A Study in Ambiguity* (Harmondsworth: Penguin, 1967), 110 and 129.

¹⁴⁰ RA-DEN: 55.DAN.31/VI, Oldenburg minute, 28.5.1958.

¹⁴¹ PRO: CAB129/93, C(58)108, Manningham-Buller memorandum, 14.5.1958. Also PREM11/2313, Macmillan minute, 25.5.1958.

¹⁴² PRO: ADM306/8, Durant to Vice Chief Naval Staff, 21.5.1958.

¹⁴³ PRO: MAF209/1519, 'Instructions to Skippers of British Fishing Vessels', 21.5. and 3.6.1958.

¹⁴⁴ PRO: ADM306/7, Admiralty to Captain FPS, 22.5.1958.

¹⁴⁵ GÍG-I: Björnsson report, 7.-16.5.1958.

regulations on an extension, he would do so on his own.¹⁴⁶ Nonetheless, on May 18, Jónasson and Gudmundsson made a secret offer: in return for a recognition by all NATO states of a 12-mile fishing limit, measured from new, wider baselines, Iceland would offer foreigners the right to fish in certain areas within the outer six-mile zone for three years.¹⁴⁷ The government would collapse and bitter elections ensue, but the Progressives and Social Democrats were prepared to defend this rather favourable compromise. Two days later in Paris, however, Britain rejected the proposition and Spaak sent a personal message to Prime Minister Jónasson, appealing for more time and almost threatening economic reprisals if the Icelandic government did decide to go ahead right away.¹⁴⁸

The quandary was now complete. On the one hand, Jónasson realised that the NATO states would not bless an ostensibly 'Communist'-led drive for immediate and unconditional extension. Björnsson also advised that an acceptance of further negotiations would strengthen the Icelandic cause 'immensely'.¹⁴⁹ On the other hand, coalition calculations and party politics could not be ignored. 'The Prime Minister', wrote Gilchrist, 'is horrified at the thought of fighting an election in which both the Communists and Conservatives will accuse him of cowardice and knuckling under to foreign threats'.¹⁵⁰ Such propaganda was always to be expected from the Socialist camp but it could be argued that the Conservative Party acted selfishly by offering little support at the height of the Cabinet crisis. The American Embassy in Reykjavík, usually well disposed towards the Conservatives, asserted that 'their primary interest was to manoeuvre the Progressives into a position where they were forced to support the Communist position on the fisheries issue'.¹⁵¹ Furthermore, Jónasson was a stubborn man who instinctively did not want to bow to pressure.¹⁵² Spaak's tough message had mostly irritated him and on May 21, the Progressive Party declared that it would not seek further discussions within NATO before any action on the fishing limits.¹⁵³ The Social Democrats, the greatest supporters of prolonged probing in Paris, were left to decide if they wanted to leave the coalition. After a few days, when the government was

¹⁴⁶ See Jóseppsson, *Landhelgismálid*, 69-70.

¹⁴⁷ ThÍ-SÖ: 1993-3-1, Gudmundsson to Björnsson, 18.5.1958. Also UD: 33.12/39/I, Rysst to Foreign Ministry, 19.5.1958.

¹⁴⁸ ThÍ-SÖ: 1993-3-1, Paris to Reykjavík, 20.5.1958. Spaak wrote that 'unfortunate effects for Iceland would thus probably be produced at a time when OEEC partners show willingness to open up markets for Icelandic fish'.

¹⁴⁹ ThÍ-SÖ: 1993-3-1: Björnsson to Gudmundsson, 20.5.1958.

¹⁵⁰ PRO: FO371/134962/NL1351/160, Gilchrist to FO, 12.5.1958.

¹⁵¹ NARA: RG59/740B.00/6-358, Reykjavík to Washington, 3.6.1958.

¹⁵² 'Hermann knew no fear', his admirers would say. Halldór Kristjánsson, *Ágúst á Brúnastöðum lítur yfir farinn veg* (Reykjavík, 1984), 141.

¹⁵³ UD: 31.11/60/V, Rysst to Foreign Ministry, 21.5.1958, and Ólafsson, *Saga*, 217-218.

repeatedly on the verge of collapse, they most reluctantly gave in. On May 24, it was announced in Reykjavík that on June 30, new regulations on a 12-mile fishing limit would be issued, taking effect on September 1.

Again a crisis had been averted but a long-term agreement was nowhere nearer. The primacy of domestic politics meant that convictions about correct behaviour in an international dispute had to be discarded. Maybe it also mattered that Gudmundsson was supposedly 'weak-nerved'.¹⁵⁴ But in fairness the Social Democrats were in a difficult position and the Foreign Minister was determined to have the People's Alliance out of government before September.¹⁵⁵

Furthermore, the British side had not shown much willingness to treat the case as a political problem which needed a political, or an *ad hoc* solution. The Icelanders were first to deal the efforts in Paris a fatal blow but another lunge came from London. Despite Jónasson's rejection of Spaak's appeal for patience, he made a new compromise proposal. Iceland could claim exclusive fishing limits up to six miles and an outer six-mile zone where historic rights would be respected, subject to certain conservation restrictions.¹⁵⁶ But Sir Frank Roberts, Britain's Permanent Delegate at NATO, said that this formula still would not do, and Spaak complained that Britain was both 'unnecessarily legalistic' and by now totally isolated in Paris. Learning this in London, Brimelow made frantic phone calls to Fisheries Secretary Wall and Assistant Legal Adviser Gutteridge. Afterwards, he and Roberts concluded that the paragraph about restrictions on historic rights could be accepted, with the wording 'under conditions to be negotiated with the Icelandic government'.¹⁵⁷

The text would be submitted to the two governments. In Reykjavík it was swept aside by the coalition's declaration on an extension in September. In London it fared no better. The Prime Minister was furious and protested that the proposed agreement 'seems to concede everything [the Icelanders] want under the weak phrase "conditions to be negotiated"'. I was not asked: I would like to know what Minister authorised the

¹⁵⁴ PRO: FO371/134983/NL1351/731, Gilchrist to FO, 29.8.1958. American diplomats in Reykjavík said that Gudmundsson was 'personally pleasant, friendly, co-operative, intelligent and pro-Western. At best, however, he is very cautious and sometimes evasive and indecisive'. NARA: RG59/740B.13/4-662, Penfield to Washington, 6.4.1962.

¹⁵⁵ PRO: FO371/134967/NL1351/318, Gilchrist to FO, 28.5.1958.

¹⁵⁶ RA-DEN: 55.ISLAND.1/IV, NATO Permanent Delegation to Copenhagen, 23.5.1958.

¹⁵⁷ PRO: FO371/134971/NL1351/428, Brimelow minute, 23.5.1958, and FO371/134965/NL1351/278, NATO Permanent Delegation to FO, 23.5.1958. Also UD: 33.12/39/I, NATO Permanent Delegation to Oslo, 24.5.1958. Later, Sir Frank himself argued that Britain had, unfortunately, approached a political problem by legalistic means. Sir Frank Roberts, *Dealing with Dictators. The Destruction and Revival of Europe 1930-70* (London: Weidenfeld and Nicolson 1991), 198.

Foreign Office to make this decision'.¹⁵⁸ Macmillan's dominance over the rather modest Foreign Secretary has been well documented.¹⁵⁹ It has also been said that senior diplomats 'despaired at the way he could be browbeaten later in Cabinet over the very issues on which he had so painstakingly formed clear opinions'.¹⁶⁰ In this case, Lloyd certainly did not fight the Foreign Office corner. On the contrary, he meekly conceded that Britain's consent in Paris had been given 'in error'. The Prime Minister was relieved.¹⁶¹ His line was the orthodox legal case of Manningham-Buller, not the political calculations in the Foreign Office. As before, when decision-making on a rather outside and dormant issue like Iceland or fish was transferred to the highest levels, prejudiced men would reach prejudiced conclusions. 'I am not an expert ... but', Macmillan tellingly wrote when he thwarted the efforts which Brimelow, Roberts, Wall and Vallat had blessed.¹⁶² Similarly, Ministers even expressed the naïve hope that a declaration on British firmness, coupled with offers for further discussions, would 'educate' the Icelanders.¹⁶³ On June 4, Britain therefore responded to the Icelandic announcement on a 12-mile limit in September by expressing 'surprise and regret' which, incidentally, were almost the same words which had been used to protest the Norwegian move to enforce the four-mile baseline limit in 1948. The authorities in London had not acted further then but now they asserted that they would prevent all attempts to interfere with trawlers 'on the high seas'.¹⁶⁴

So, had the bridge finally been burnt, and from both ends for that matter? During the four-mile dispute, Agnar Kl. Jónsson had argued with Harry Hohler about the precise meaning of the word 'discussion'.¹⁶⁵ Now Gudmundsson stated that while the authorities in Reykjavík were 'ready to discuss' the 12-mile extension, they did not want to give the impression that they were prepared to 'negotiate' on it.¹⁶⁶ In line with this narrow definition, the Icelanders firmly rejected a Danish suggestion on a conference to reach a regional agreement on fishing limits in the North Atlantic.¹⁶⁷ Neither did formal protests over Iceland's intentions by a number of states have any

¹⁵⁸ PRO: PREM11/2313, Macmillan minute, 25.5.1958.

¹⁵⁹ E.g. Holland, *Pursuit*, 303, and Deighton, 'British Foreign Policy-Making', 5.

¹⁶⁰ Caroline Moorehead, 'A grand old man of English politics', *Times*, 2.2.1976.

¹⁶¹ PRO: PREM11/2313, Macmillan minute, 25.5.1958.

¹⁶² PRO: PREM11/2313, Macmillan minute, 25.5.1958.

¹⁶³ PRO: CAB130/146, GEN.648, 3rd meeting, 28.5.1958. This was also the view of the BTF. See B JL: DPW/13/127, Phillips to Patrick Wall, 4.7.1958.

¹⁶⁴ PRO: FO371/134968/NL1351/364, HMG declaration, 4.6.1958.

¹⁶⁵ See section 2.2, 73.

¹⁶⁶ PRO: FO371/134739/ND1351/44, Barclay to FO, 17.6.1958.

¹⁶⁷ RA-DEN: 55.DAN.31/VII, Foreign Ministry minute, 15.6.1958, and PRO: FO371/13497/NL1351/546, NATO permanent delegation to FO, 18.7.1958.

effect.¹⁶⁸ Meanwhile, the determination in Britain was also criticised. Most significantly, the United States was ‘deeply disturbed’ over the decision to employ warships against an ally in NATO.¹⁶⁹ The Canadian Drew, presumably still smarting from the skirmishes with Manningham-Buller at Geneva, estimated as well that far from ‘educating’ the Icelanders, public warnings about trawler protection would simply increase their determination.¹⁷⁰ He was right. Even the most pro-Western paper in Reykjavík derided the June declaration in London:

It is as though the British government thought we were living in the 17th or 18th century when it was thought wonderful to use cannons unhesitatingly. ... It is ... in the nature of the Icelanders that one can get him to do various things by kindness but by nastiness he will never be induced to do anything at all, not even that which might benefit him most. The British note is, therefore, having completely the opposite effect to what was intended.¹⁷¹

At the Foreign Office, Brimelow was not pleased, confiding to both Norwegian and Danish officials that the Attorney General was against all concessions while the diplomats were anxious to reach a *modus vivendi*.¹⁷² He might easily have mentioned Macmillan and the weakness of Selwyn Lloyd as well. The expert could do little, however. ‘Brimelow is a respectful and intelligent man but naturally he must obey his masters’, Kristinn Gudmundsson, Iceland’s Ambassador in London, would later remark.¹⁷³ In the summer of 1958, a Cabinet decision had been taken and as Lord Vansittart, the former Permanent Secretary of the Foreign Office, wrote that year, ‘[t]he soul of our service is the loyalty with which we execute ordained error’.¹⁷⁴

Thus, the slide towards ‘cod war’ demonstrated the same ‘disregard for diplomacy’ which had contributed to the deadlock in the previous fishing dispute with the Icelanders. In September, when the conflict off Iceland had begun, the complaint could indeed be heard that ‘in other days such an issue might have been settled at dinner by a few Ambassadors’.¹⁷⁵ Apart from Brimelow being overridden, Andrew Gilchrist was more or less left out of the decision-making process and derided, as he put it, the

¹⁶⁸ The states were France, Belgium, West Germany, Sweden, Spain and the Netherlands. See Pétur J. Thorsteinsson, *Utanríkishjónusta Íslands* II, 609-610.

¹⁶⁹ PRO: FO371/134966/NL1351/298, Brimelow minute, 20.5.1958. Also NARA: RG59/740B.022/6-558, Dulles to Paris, 5.6.1958.

¹⁷⁰ CAN: RG25/5389/10600-W-40-3, Drew to Ottawa, 5.6.1958.

¹⁷¹ *Vísir*, 5.6.1958.

¹⁷² RA-DEN: 55.ISLAND.1/IV, Kronmann to Oldenburg, 4.6.1958, and 55.DAN.31/VII, Kronmann minute, 19.6.1958.

¹⁷³ GÍG-IV, Kristinn Gudmundsson memorandum, 18.4.1959.

¹⁷⁴ Quoted in Hennessy, *Whitehall*, 483.

¹⁷⁵ Leading article in *Globe*, 4.9.1958. See ThÍ-FRN: 1989-B/555-5/L.13.1. Also section 2.7, 110.

‘nonsense the Foreign Office and our people in Paris ... cooked up for me’.¹⁷⁶ His idea for a solution was almost identical to the proposal which Gudmundsson and Jónasson had offered during the dire days of May; an *ad hoc* agreement that ‘while the 12 miles is all Icelandic, they will graciously allow certain foreign nations to fish up to six for the next four years’.¹⁷⁷ And as for the Icelanders, both Gudmundsson and Jónasson claimed to regret that they had not ended the uneasy co-operation with the Socialists in the spring.¹⁷⁸ In the diplomatic corps, likewise, Andersen was clearly unhappy with his government’s intransigence while Björnsson complained that the left-wing coalition was ruining Iceland’s relationship with her allies.¹⁷⁹ The circumvention of the diplomatic preference for compromise was of course mainly caused by the perceived importance of the case. For the politicians, the dispute was far too weighty to be left to the diplomats. Events will also demonstrate that Gilchrist could be quite gung-ho and that the sincerity of Andersen’s lamentations was open to doubt. Furthermore, the ‘disregard for diplomacy’ did not mean that no efforts were made to reach a solution. On the contrary, the last weeks before ‘D-Day’ on September 1 were marked by intense diplomatic activity in Paris, London and Reykjavík. But the thing is that it all failed. Yet again the power of domestic politics was demonstrated, as was the importance of individuals, reduced control of developments when the pressures of time began to tell and, in the end, the preference for a realist trial of strength rather than concessions of the liberal kind.

¹⁷⁶ Churchill College, University of Cambridge [henceforward CC]: GILC12/C(1), Gilchrist to Milne, 6.8.1958.

¹⁷⁷ PRO: FO371/134972/NL1351/448, Gilchrist to Brimelow, 19.6.1958.

¹⁷⁸ GÍG-IV: Gudmundsson to Stefánsson, 3.7.1958.

¹⁷⁹ SSÍ-DÓP: Andersen report, 5.6.1958, and UD: 31.11/60/VII, Knudsen to Foreign Ministry, 6.8.1958.

3.4. On the Brink. Cod War Comes, August 1958

The crisis over the extension of Iceland's fishing limit in the spring of 1958 was much like a ceremonial dance of aggression before the real fight. Threats were made and battle lines drawn. In late summer, a similar sequence of events occurred. This time, however, the outcome was different. If the spring was Agadir in 1911, then August was 1914. The first 'cod war' would not be postponed again.

By the start of August, a month before 'D-day', the Admiralty had completed its plans for protection off Iceland. 'Operation Whippet' came into being.¹⁸⁰ Building on the preparatory work in May, it aimed to prevent the arrest of British fishing vessels and secure their release if they were caught, but never by the use of fire unless the Icelanders did so first. The fishing fleet was to congregate in three fishing 'havens'. They would be moved as needed and the trawlers were meant to be inside them for at least the first three days of their trip. After that, they could work outside the 12-mile limit if they so wished but Barry Anderson, Captain of the Fishery Protection Squadron, underlined that skippers should not be tempted to stray away inside in search of fish: 'Remember how stragglers in the last war were easily snapped up!'¹⁸¹

Clearly, this could be a serious business. Ambassador Gilchrist even wondered whether British subjects should be evacuated from Iceland.¹⁸² More realistically, Foreign Minister Gudmundsson reiterated that the problem of the fishing limits would not be solved with the 'Commies'.¹⁸³ Throughout the summer, he was in touch with leaders of the Conservatives who indicated that they could support an offer which, provided that the 12-mile principle would be recognised, gave foreigners the right to fish within that line for a limited period.¹⁸⁴ As with Gilchrist's idea for a solution to the problem, this was basically the failed Icelandic offer from May, and barring a remarkable change of mind in London, it seemed destined to suffer the same fate. Another cause for concern was the Conservative determination to make political gains

¹⁸⁰ It was drafted in HMS *Wave*, the Fishery Protection Squadron's old flagship. Weir interview, 29.3.2003.

¹⁸¹ PRO: ADM306/6, 'Operation Whippet'. 'Captain FPS's OP-Order 1-58', 1.8.1958, and MAF209/1519, 'Guidance to Skippers of British Fishing Vessels', 6.8.1958.

¹⁸² PRO: FO371/134937/NL1051/3, Gilchrist to Joy, 14.8.1958. The Ambassador concluded that evacuations were not necessary because: 'a) there is relatively little we can do in advance; b) it is unlikely that the Icelanders would wish to take reprisals against the community or force them to leave; c) the size of the problem is not overwhelming'.

¹⁸³ GÍG-IV: Gudmundsson to Stefánsson, 3.7.1958. Also NARA: RG59/740B.00/6-2458, Muccio to Dulles, 24.6.1958.

¹⁸⁴ PRO: FO371/134973/NL1351/472, Gilchrist to FO, 30.6.1958.

in the process, probably by insisting on elections instead of simply forming a new government. When campaigning, they would then claim that they had to be called to the rescue because the Progressives and the Social Democrats had been foolish enough to work with the Socialists.¹⁸⁵ For Gudmundsson and Jónasson, the collapse of the coalition was much less attractive in such circumstances. As in spring, therefore, the American Embassy was justifiably unsure if the Conservatives would ‘put statesmanship above partisanship’.¹⁸⁶

In addition, the ‘slipperiness’ and ‘cunning’ of Hans G. Andersen confused an already complex situation.¹⁸⁷ On August 11, fishing experts from a number of NATO countries joined permanent delegates and officials in Paris in search of a solution to the dispute. The talks were noncommittal but Andersen, mostly acting without authority or directives from home, did not discount suggestions about a total quota on catches in Icelandic waters, with 60% allocated to Iceland and a trawling ban in certain breeding grounds outside the four-mile limit.¹⁸⁸ This way out was not acceptable in Reykjavík, however. On August 22, Gudmundsson said so and instructed his Ambassador to remind the North Atlantic Council of the May proposal, which the Conservatives also looked likely to support.¹⁸⁹ Yet, fatefully, Andersen again decided to act on his own. He only put forward the idea of a six-mile compromise, with some unspecified mention of 12 miles in the text.¹⁹⁰ This became a draft agreement in Paris. A six-mile limit would remain in force for three years or until an international conference had agreed on the width of territorial waters and fishing limits. The prerequisite ‘12’ would appear through a pledge by Iceland not to interfere with trawling between six and 12 miles.¹⁹¹

On August 27, the Cabinet in London concluded that the proposal was tolerable, with minor modifications.¹⁹² Andersen had obviously encouraged optimism but was it not completely false? His conduct was in total contradiction to more accurate reports from Reykjavík, leaving the Foreign Office ‘dumbfounded’ over the discrepancy.¹⁹³ And the next morning it was all over. After a meeting with Gudmundsson, Gilchrist telegraphed to the Foreign Office: ‘I think we are in a mess. The Minister for Foreign Affairs says quite specifically that text is unacceptable as it stands, and that it is not at

¹⁸⁵ RA-DEN: Knuth to Copenhagen, 17.8.1958, and UD: 31.11/60/VII, Knudsen to Oslo, 25.8.1958.

¹⁸⁶ NARA: RG59/740B.00/8-2158, Reykjavík to Washington, 21.8.1958.

¹⁸⁷ PRO: FO371/134980/NL1351/625, Brimelow memorandum, 7.8.1958, and FO371/134973/NL1351/482, Gilchrist to FO, 1.7.1958.

¹⁸⁸ THÍ-SÖ: 1993-3-1, Paris to Reykjavík, 13.8.1958.

¹⁸⁹ THÍ-SÖ: 1993-3-1, Reykjavík to Paris, 22.8.1958. GÍG-I: Gudmundsson note, 23.8.1958.

¹⁹⁰ PRO: FO371/134981/NL1351/686, NATO Permanent Delegation to FO, 25.8.1958.

¹⁹¹ NARA: RG59/740B.022/8-2658, Paris to Dulles, 26.8.1958.

¹⁹² PRO: CAB128/32, CC(58), 68th meeting, 27.8.1958.

¹⁹³ RA-DEN: 55.ISLAND.1/VII, Kronmann to Oldenburg, 26.8.1958.

all in accordance with his instructions to Hans Andersen'.¹⁹⁴ The freethinking Ambassador had kept the talks going in Paris, most likely because he knew that the renewed offer from May would never be accepted in negotiations. Only the immediate prospect of naval clashes might force Britain to give in. Andersen, therefore, had mostly been leading people on and won no friends through the plot.¹⁹⁵ It almost worked, however. After a Ministerial meeting in London early on August 29, the Icelanders were offered that in a preamble to an agreement on six miles for three years or less, their intention to extend to 12 miles would be 'noted'. Although the British authorities would also make a 'complete reservation of their rights', Iceland would in practice have got almost everything she wanted.¹⁹⁶ Nevertheless, Andersen now said straight out, knowing the inevitable response in Reykjavík, that the concession was insufficient since a recognition of the legal right to 12 miles was still lacking.¹⁹⁷ This late in the day, a retreat from that claim was inconceivable.

Britain, it seemed, found it very hard to step back from the brink as well. Partly, the coloured 'Cold War lens' was to blame. When the Icelandic government rejected the latest proposal in Paris, Macmillan's synopsis was succinct: 'I fear that Russia and the Communists have got a strong hold on them'.¹⁹⁸ It is true the Progressives and the Social Democrats were afraid of showing less resolution than the People's Alliance and Gudmundsson's strategy to get the Socialists out of government had obviously failed. But still, Macmillan was misreading the circumstances. The whole affair was not a Kremlin conspiracy. On the one hand, while some were more amenable over tactics, *all* Iceland's politicians were united over the 12-mile goal. On the other, an extension was in itself a goal for the Icelandic Socialists, not merely a tool to make trouble. 'The People's Alliance did not advocate 12 miles in order to harm NATO', Jósepsson said afterwards, 'but it was happy that this would be one of its results'.¹⁹⁹

The misguided determination not to concede to 'Moscow' made Macmillan even less inclined to show goodwill towards the Icelanders. Furthermore, events had gathered their own momentum. On August 26, when hopes for a settlement were probably at their highest, Ken Pritchard, so guarded in the Admiralty in May, advised that the plans for naval protection on September 1 must not be upset, regardless of any developments

¹⁹⁴ PRO: FO371/134982/NL1351/712, Gilchrist to FO, 28.8.1958.

¹⁹⁵ E.g. Gilchrist, *Cod Wars*, 77-80, and SA: UUKK, 4.9.1958. Also Paul-Henri Spaak, *The Continuing Battle. Memoirs of a European 1936-1966*. Translated from French by Henry Fox (London: Weidenfeld and Nicolson, 1971), 279-280.

¹⁹⁶ PRO: PREM11/2313, minute of meeting of Ministers and officials, 29.8.1958.

¹⁹⁷ PRO: FO371/134982/NL1351/727, NATO Permanent Delegation to FO, 29.8.1958.

¹⁹⁸ BOD: MSS. Macmillan, diary, 29.8.1958.

¹⁹⁹ Quoted in Davis, *Iceland*, 67-68.

in Paris, since the organisation of the operation had been very complicated.²⁰⁰ At the risk of hyperbole, the First World War and Barbara Tuchman's *Guns of August* spring to mind.²⁰¹ It was as if a general mobilisation could not be cancelled although it might facilitate a diplomatic agreement because it would be that much harder to organise the forces again. On August 25, HMS *Hound*, a minesweeper with a standard displacement of 1122 tons, a speed of 16 knots and a 4-in gun, had departed Britain for routine fishery patrol, to be turned, if required, to protection off Iceland.²⁰² Two days later, HMS *Eastbourne* sailed for the Iceland grounds, flying Barry Anderson's tenant. She was a 2150 tons Type 12 'Whitby' class frigate with a top speed of 30 knots and two 4.5-in guns. HMS *Palliser* and HMS *Russell* followed, two new Type 14 'Blackwood' class frigates of 1180 tons, a speed of 28 knots and armed with three 40-mm guns.²⁰³ The 'boats of August' had sailed.

Predictably, the imminent appearance of warships did anything but deter the Icelanders. In the evening of August 29, Prime Minister Jónasson described the possibility of naval presence as 'foolish threats'.²⁰⁴ The outside intimidation had united and committed the Icelandic nation, from left to right, for the first time since the Republic's foundation in 1944. Admittedly, the head of the coast guard Pétur Sigurdsson quietly confessed that Iceland's Lilliputian fleet of six tiny vessels was 'utterly incapable' of fending off nearly one hundred British trawlers under Royal Navy cover.²⁰⁵ Only the flagship *Thór* could effectively arrest and, if necessary, tow a trawler to harbour. Specially built for coast guard duties in 1951, *Thór* was 693 tons, had a maximum speed of 18 knots and was armed with one 57-mm gun. Then there was the 507 tons *Ægir*, a veteran from the 1920s, again with a 57-mm gun but a top speed of only 13-14 knots which meant that she could hardly chase down British trawlers. The rest of the Icelandic 'navy' consisted of a Catalina aircraft and four boats under 200 tons, with a maximum speed of 10-13 knots and a 47-mm gun.²⁰⁶

²⁰⁰ PRO: ADM306/8, Pritchard note, 26.8.1958.

²⁰¹ Barbara Tuchman, *The Guns of August* (London: Robinson, 2000 (original ed., 1962)). The origins of the 'cod war'—again with the caveat about hyperbole—partly fit what has been called "'The road to war'" as a *genre* ... in which the protagonists ... usually precipitate their doom by their own schemes'. See Antoine Capet, 'Richard Overy with Andrew Wheatcroft, *The Road to War*' (book review), <<http://www2.h-net.msu.edu/reviews/showrev.cgi?path=14921973890923>>, accessed 22.11.2000.

²⁰² John Coombes to author, 21.1.2001. Also Algerine Association homepage, <<http://www.cronab.demon.co.uk/algerine.htm>>, accessed 19.8.2002.

²⁰³ Leo Marriott, *Royal Navy Frigates since 1945* (London: Ian Allan, 2nd ed. 1990), 69-75.

²⁰⁴ BBC Written Archives Centre, Reading [henceforward BBC]: News bulletin, 21:00, 29.8.1958.

²⁰⁵ NARA: RG59/740B.00/6-1258, Reykjavík to Washington, 12.6.1958. Also Magnúss, *Landhelgisbókin*, 157.

²⁰⁶ Magnúss, *Landhelgisbókin*, 157, and *Morgunbladid*, 18.7.1958.

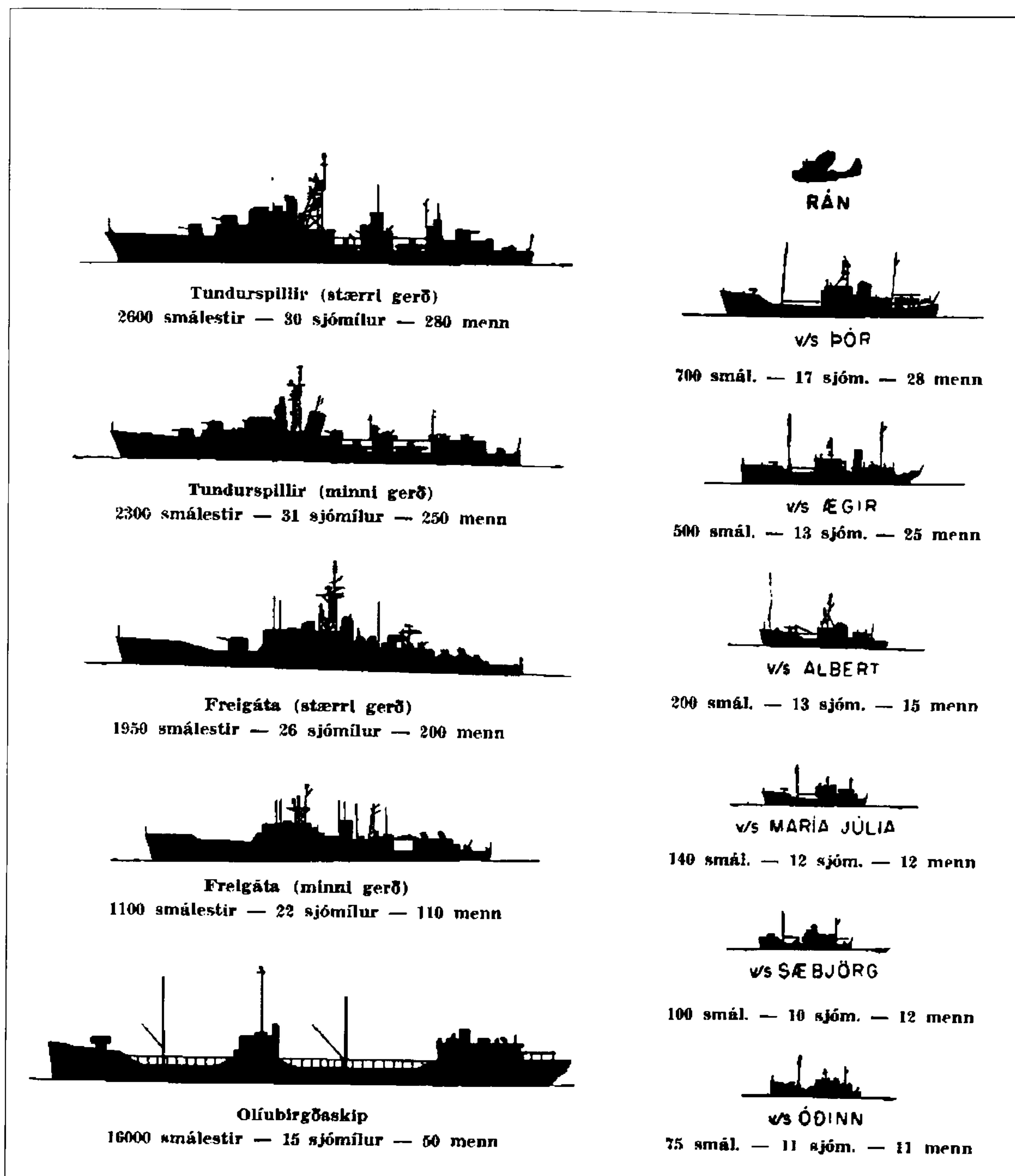


Figure XI. Royal Navy destroyers and frigates (and a tanker) vs. the Icelandic coast guard fleet. First figure below vessels is for displacement, second for speed, and third for size of crew (all figures approximate).

On the other hand the Icelanders took heart from finding fishing in havens a ridiculous idea of ignorant landlubbers, since the fish would continue to swim as they pleased and the supremely independent skippers would not like to work so closely together that all would know if they had hit a lucky ground.²⁰⁷ Furthermore, the naval protection would be costly. ‘[Y]ou will make cheap cod as expensive as salmon’, said Prime Minister Jónasson. On the evening of August 31, he also told Gilchrist that the Icelanders foresaw ‘a long-term operation’ where time would be on their side.²⁰⁸ And

²⁰⁷ *Thjóðviljinn*, 28.8.1958.

²⁰⁸ *Daily Mail*, 30.8.1958, and PRO: FO371/134983/NL1351/737, Gilchrist to FO, 31.8.1958.

would the British have the stomach for that? Power, it has been observed, can largely depend on prestige or reputation and the Icelandic public was inclined to think, to take a crude example, that ‘the time has passed when we have something to fear from this second-rate “Empire” which has been kicked out of almost every colony in the world’.²⁰⁹ Likewise, the Conservative Bjarni Benediktsson estimated, according to Gilchrist, that ‘if the Icelanders could not face the prospect of direct trouble with us, still less could *we* afford to become involved in “a second Suez”’.²¹⁰ In this sense, the Cold War connotations also continued to aid the Icelanders. While the authorities in Reykjavík underlined that the country’s presence in NATO was not for discussion, serious repercussions to the Alliance were always possible and one of Iceland’s Ambassadors warned in late August that ‘if allies fire at us, then they are no longer our allies’.²¹¹ It could be called ‘blackmail’ or ‘the tyranny of weakness’, but as the dispute was moving from the diplomatic table to the disputed waters—or from liberal ‘interdependence’ in international relations to the harsher realities of *Realpolitik*—the Icelanders were fairly confident that, despite British might, they would still be stronger.

In general, Britain was of course in retreat. In July 1958, an authoritative Whitehall report, ‘The position of the United Kingdom in world affairs’, stated that ‘[w]e can no longer operate from the position of overwhelming strength—military, political and economic—which we enjoyed in the heyday of our Imperial power’.²¹² As for the high seas in particular, the weakening of Britain had been clear at Geneva. It had also been demonstrated earlier in 1950s, when Icelandic ‘power politics’ forced through an acquiescence in the four-mile limit.

Moreover, the intrinsic faith in compromises, mentioned earlier in connection with Britain’s complaisant conduct in the fisheries dispute with Norway, must be kept in mind.²¹³ In the summer of 1958, Macmillan spoke of ‘our natural good manners and reticence’.²¹⁴ The last offer to Iceland about a temporary six-mile limit and the claim to 12 ‘noted’ with reservations definitely showed how far the British side was willing to go to meet the adversary’s wishes. Had it been accepted, a disagreeable precedent would have been strengthened in the North Atlantic and the legal principle would have

²⁰⁹ *Mánudagsbladid*, 5.5.1958.

²¹⁰ PRO: FO371/134973/NL1351/482, Gilchrist to FO, 1.7.1958.

²¹¹ *Frankfurter Allgemeine Zeitung*, 25.8.1958. Also ThÍ-SÖ: 1993-3-1, Foreign Ministry press release, 23.8.1958.

²¹² PRO: CAB130/153, GEN.659, 1st meeting, 7.7.1958. Also Kaiser and Staerck (eds), *British Foreign Policy*.

²¹³ See section 1.2, 59-60.

²¹⁴ PRO: PREM11/2315, Macmillan minute, 24.6.1958.

been prejudiced. That would have been especially unfortunate ahead of the planned follow-up conference on the law of the sea. The trawling industry and its guardians in Parliament would have made the popular complaint that the Foreign Office had typically abandoned the national interest.²¹⁵

Icelandic intransigence saved the diplomats from that charge. It could be argued, still, that elsewhere they had already given away British rights. Junior officials in the Foreign Office thought that the Barents Sea agreement from 1956—a *de facto* acceptance of a 12-mile limit in exchange for restricted fishing inside the line—looked like a pertinent blueprint for a retreat off Iceland.²¹⁶ This opinion was also voiced in Washington and Moscow.²¹⁷ The prejudicial effects of the agreement were certainly obvious and in the last weeks before ‘cod war’ the Icelanders remarked disparagingly that the Royal Navy had not been sent to the Barents Sea to contest the 12-mile rule.²¹⁸ When Brimelow reminded Iceland’s Ambassador in London that Britain had reserved her legal position with the Soviets, he jokingly replied that everyone in Reykjavík would probably be very happy if they could enjoy a similar arrangement.²¹⁹ But that did not happen. The problem was that Iceland was so much smaller than the Soviet Union, so the temptation to apply or threaten gunboat diplomacy was that much greater. And the Soviet settlement had of course been determined by the correlation of forces, not the ‘non-public diplomacy’ which Sir William Strang had so praised.²²⁰ In the Barents Sea, Britain was the weaker party but Iceland was different. ‘I believe that the best hope now rests in old-fashioned quiet diplomacy’, said the American Ambassador Muccio but as Joy wrote in the Foreign Office: ‘Off Iceland, we believe that we can enforce our right’.²²¹ This was *Realpolitik*, pure and simple. The existence of physical power almost enforced its use.

However, the British standpoint was not only decided in Britain. It may sound banal but it must be emphasised that foreign policy is influenced by what the foreigners are doing. Muccio also argued that the success of quiet diplomacy would depend on the will in both Reykjavík and London to make concessions, and there was some truth in Andrew Gilchrist’s comment that ‘our enemies the Russians had been willing to

²¹⁵ Examples of condemnations of the Foreign Office abound. Churchill, for instance, is to have called it a ‘cowardly lot of shuffling scuttlers’. See Hennessy, *Muddling Through*, 197.

²¹⁶ PRO: FO371/134968/NL1351/379, Gallagher minute, 12.6.1958.

²¹⁷ NARA: RG59/740B.022/8-1358, Herter to Paris, 13.8.1958, and AVPRF: 96/15/119-29, Zyryanov to Loginov, 12.11.1958.

²¹⁸ E.g. *Tíminn*, 17.8.1958, and *Daily Telegraph*, 30.8.1958.

²¹⁹ GÍG-IV, Gudmundsson to Reykjavík, 25.8.1958. Also Schram, *Um lögmæti*, 56-60.

²²⁰ See section 2.6, 105.

²²¹ CUL: 4100, Box 85, Muccio to Moore, 28.7.1958, and PRO: FO371/134968/NL1351/379, Joy to Gilchrist, 23.6.1958.

negotiate with us, our allies the Icelanders refused'.²²² The recourse to gunboat diplomacy was not taken lightly. British decision-makers, liberal-minded and disposed towards compromise, became hard-hearted realists in part against their will. In other words, the attitude towards Iceland was still affected by the 'inherent tension' in British foreign policy, to repeat Richard Little's description, or by what Paul Sharp has called the oscillation between 'hegemonic posturing and middle power humility'.²²³ The officials who wrote the paper on the position of the United Kingdom in world affairs in July 1958 may have concluded that hegemony was gone for good but in the same month, British troops flew into Jordan and other cases of engagement could easily be found.²²⁴ That summer, Harold Macmillan was also strikingly aggressive about Britain and Europe, a subject where interdependence and humility would have been in order. On the contrary, he contemplated that if the members of the recently formed Common Market would not agree to British wishes on a parallel Free Trade Area in Europe, '[w]e would withdraw from NATO. ... We would surround ourselves with rockets and we would say to the Germans, the French and all the rest of them: "Look after yourself with your own forces. Look after yourselves when the Russians overrun your countries"'.²²⁵

The more coolheaded officials in Whitehall were far from glad over such outbursts.²²⁶ Furthermore, they stemmed from uncertainty rather than arrogance. On Europe Macmillan was 'a man at war with himself'.²²⁷ In like manner, Gilchrist would sometimes refuse to acknowledge the restraints on British power and the strategic strength of Iceland. 'If we are to use naval action at all', he wrote when he was in that frame of mind, '...we should catch an Icelandic gunboat in the act [of arresting a trawler], disable her by non-violent means, (query: shoot her rudder off), tow her to England, and condemn her for piracy in an Admiralty Court'.²²⁸ This frustration was as foolish as the anger over Europe and, agonisingly, both Gilchrist and Macmillan realised the risks of browbeating the Icelanders. While the Prime Minister may not have been 'at war' with himself over Iceland, he was certainly at unease. 'We shall protect

²²² PRO: FO371/134991/NL1351/975, Gilchrist to FO, 2.10.1958.

²²³ Paul Sharp, *Thatcher's Diplomacy. The Revival of British Foreign Policy* (Basingstoke: Macmillan, 1997), 20. For Little, see section 2.2, 78.

²²⁴ In Southwest Arabia, for instance, the 1950s were 'the heyday of British imperialism'. See Spencer Mawby, 'Britain's Last Imperial Frontier: The Aden Protectorate, 1952-59', *The Journal of Imperial and Commonwealth History*, Vol. 29, No. 2, May 2001, 96. Also Kennedy, *Realities*, 331.

²²⁵ PRO: PREM11/2315, Macmillan minute, 24.6.1958.

²²⁶ See Ellison, *Threatening Europe*, 201-209.

²²⁷ Young, *This Blessed Plot*, 121.

²²⁸ PRO: FO371/134963/NL1351/175, Gilchrist to FO, 13.5.1958. Also FO371/134978/NL1351/579, Gilchrist to Brimelow, 24.7.1958.

our trawlers as best we can', he wrote on September 1, the first day of 'cod war' in 1958. 'But there is no future in it'.²²⁹

The disquiet was somewhat eased by the calculation that naval protection might not necessarily lead to critical clashes. On August 31, Barry Anderson emphasised that 'the keynote of the operation would be the friendly touch'.²³⁰ That same day, Pétur Sigurdsson gathered all the gunboat captains in Reykjavík where they were instructed, as Hermann Jónasson also stressed in public, 'to show the utmost caution at the onset when everyone is tense and the situation a powder keg'.²³¹ At a meeting with Gilchrist in the evening, with the day of decision only a few hours away, the Prime Minister refused to go into details about the proposed enforcement. Yet the Ambassador could conclude, reinforced by reports of Jónasson's more forthright talk with the American Muccio, that if a trawler refused to obey coast guard orders and immediately appealed for naval assistance, 'no boarding attempt will be made'.²³²

Gilchrist's analysis must have pleased Macmillan. Earlier in the day, he had issued the executive order for 'Operation Whippet', having the Admiralty confirm at the same time that the three trawler havens could easily be moved out to the six-mile line.²³³ His battle plan seemed to involve a robust but fair establishment of British rights with the option of a dignified retreat towards the last compromise proposal from Paris. The Admiralty had also seemed to harbour the hope that the over-stretched Royal Navy would only be needed for about three months, 'until the situation is cleared up by approach to United Nations or other authority'.²³⁴ This conflict, however, would not be over by Christmas.

²²⁹ BOD: MSS. Macmillan, diary, 1.9.1958.

²³⁰ *Glasgow Herald*, 1.9.1958.

²³¹ *Vísir* (2nd ed.), 1.9.1958. Also Ólafsson, *Saga*, 295-297.

²³² PRO: FO371/134983/NL1351/739, Gilchrist to FO, 31.8.1958. Also PREM11/2313, de Zulueta minute, 31.8.1958, and FO to Washington Embassy, 31.8.1958.

²³³ PRO: ADM306/8, First Lord of the Admiralty to First Sea Lord, 31.8.1958.

²³⁴ PRO: ADM306/8, Durant minute, 21.5.1958.

3.5. 'We Don't Deal with the Brits, We Beat Them'. *Entrenchment off Iceland, September 1958*

On September 1, 1958, the diplomatic dispute turned into a naval contest as Royal Navy warships began to protect British trawlers from arrest by Icelandic gunboats. It was, at least in the opening stages, an exciting affair which brought a posse of foreign reporters to Iceland for the first time in the Republic's history. And it was serious; 'the nearest thing to armed conflict that has taken place in Europe since the Hungarian insurrection', as John Gunther, the American writer, observed in 1961.²³⁵ Previous discussions here—on the currents which went back to the 19th century, developments after the Second World War and most lately the preceding months of 1958—explain why a difficult fishing dispute between Britain and Iceland was likely to break out, or how a 'cod war' came. It is a different task now to recount how *the* 'cod war' of 1958 broke out. To compare, it is as if entangled alliances and other underlying explanations of the Great War make way for more unforeseeable causes in 1914 like the assassination in Sarajevo—or as Harold Macmillan famously said when describing the unpredictability of causation in history: 'Events, dear boy, events'.²³⁶

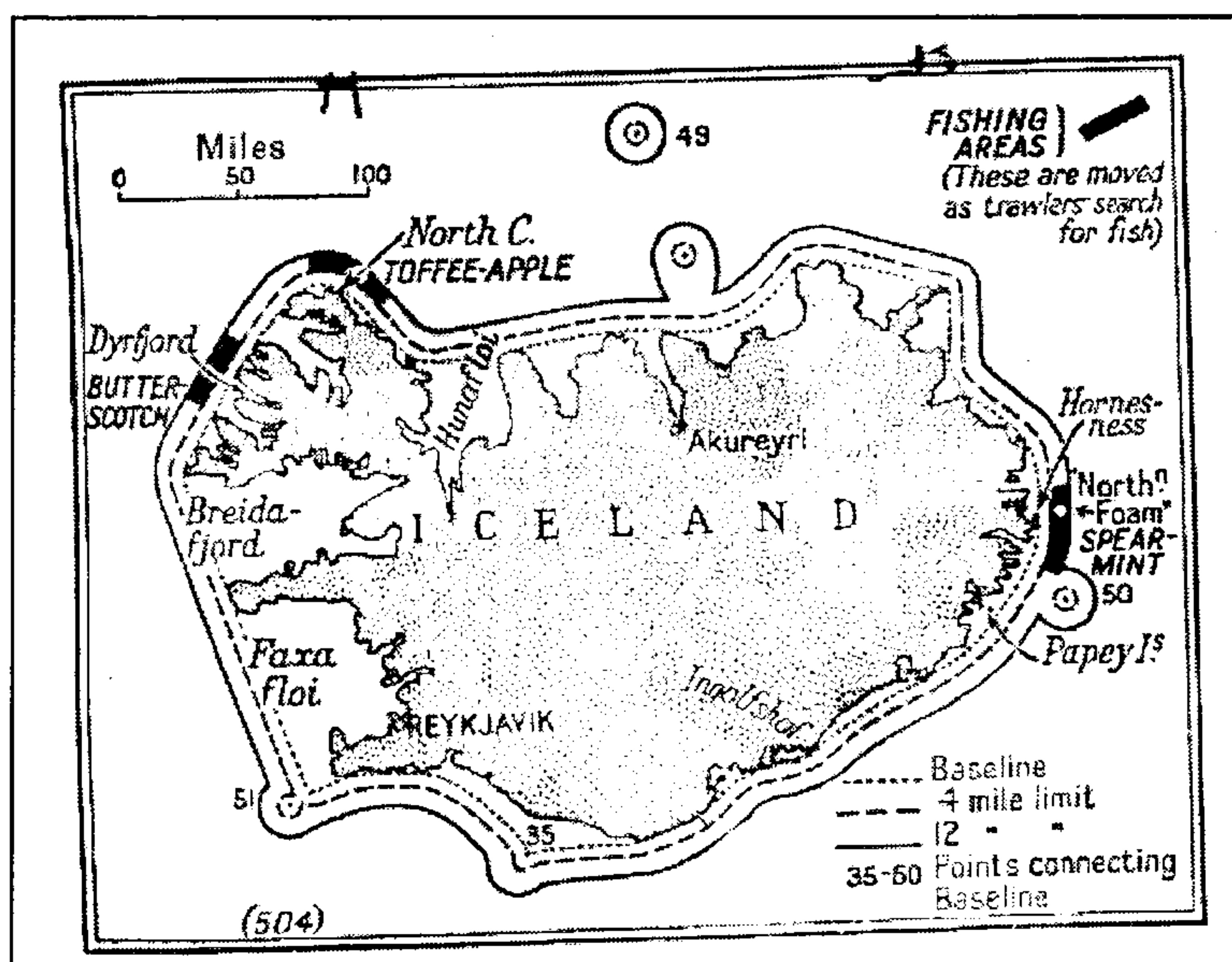


Figure XII. The 12-mile limit and the three 'havens' in September 1958.

'The long ships are lurking tonight', Commodore Anderson signalled to the Admiralty just before the watershed at zero hour, Monday the first of September.²³⁷ Within the three fishing havens—which for no particular reason were called 'Butterscotch', 'Toffeeapple' and 'Spearmint'—the warships watched the gunboats as they notified trawlers that they were

²³⁵ See Benedikt Gröndal, *Iceland. From Neutrality to NATO Membership* (Oslo: Universitetsforlaget, 1971), 59.

²³⁶ For this oft-quoted remark, see e.g. 'Why May?' *BBCi*, 1.12.2000

<http://news.bbc.co.uk/1/hi/uk_politics/1042909.stm>, accessed 28.8.2002. For a summary view on the importance of chance and contingencies in historical explanation, see Young, *Britain and the World*, 228.

²³⁷ PRO: ADM306/18, CTG334.0 (the designation for Anderson, as Commander of the Task Group) to Admiralty, 22:41, 31.8.1958.

fishing within the new limit and risked arrest. Although no further action was taken, there was little cause for optimism. To a man, the Icelanders were enraged over the British 'invasion'.²³⁸

Then things got worse. At dawn on September 2, when the notoriously dense Eastfjord-fog had descended over 'Spearminn', the Icelanders struck. *María Júlía* steamed close ahead of the Grimsby trawler *Northern Foam* and compelled her to stop while the flagship *Thór* sneaked alongside and sent a party of men aboard. They immediately demanded control of the ship. 'To hell with you', the skipper replied and had the engines put out. Meanwhile, the radio operator sent an emergency signal to HMS *Eastbourne*, some 20 miles away. The Icelanders had only managed to get the trawler going when the warship arrived on the scene, with guns fore and aft trained on *Thór*.²³⁹ The *Northern Foam* stopped again and it was time for Commodore Anderson to try to defuse the volatile situation. Using a loudhailer he called to Captain Eiríkur Kristófersson on the Icelandic gunboat: 'Kris, Kris, this is bloody daft! I'm coming over to talk to you'.²⁴⁰ So he duly did and simultaneously a 12-man outfit from *Eastbourne* was sent to the trawler. Two officers were armed with pistols and ratings had truncheons. The Icelanders offered no resistance, however, and onboard *Thór* Kristófersson and Anderson firmly argued, to no avail, the rights and wrongs of the case. The Commodore then returned to his ship and told his men in *Northern Foam* to order the Icelandic troop off the vessel. They were put on a boat but when this was noticed in *Thór* she sped away. The Icelanders had to be taken on board *Eastbourne* 'as guests'. In Iceland, however, they were called prisoners.²⁴¹

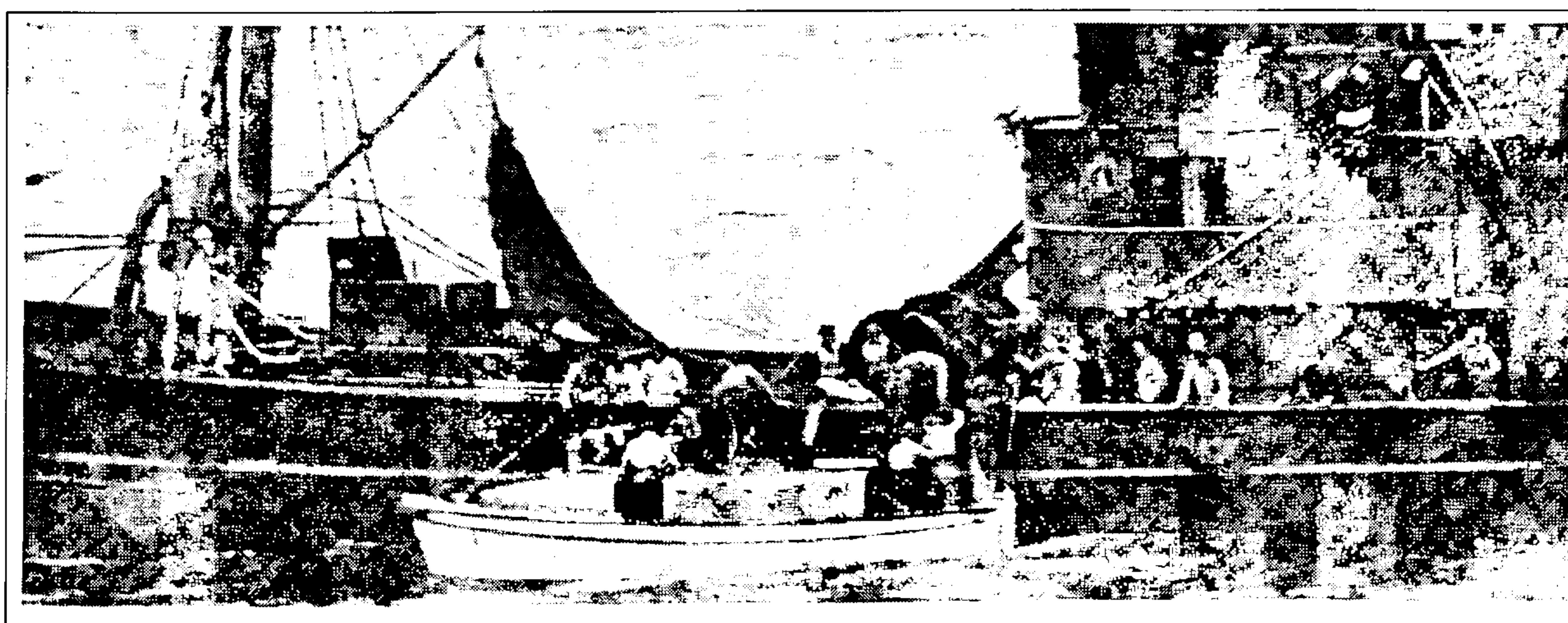


Figure XIII. Sailors from HMS Eastbourne board the Northern Foam.

²³⁸ *Althýdubladid, Morgunbladid, Tíminn and Thjóðviljinn*, 2.9.1958.

²³⁹ PRO: ADM306/18, CTG334.0 to Admiralty, 22:21, 2.9.1958, *Daily Mail*, 3.9.1958, and Notley to author, 8.2.2003. Enclosed was letter to his wife, 5.9.1958.

²⁴⁰ Imperial War Museum Sound Archive, London: 11245/11, Frank Goldsworthy interview, April 1990.

²⁴¹ PRO: ADM306/18, CTG334.0 to Admiralty, 13:35, 2.9.1958 and 22:21, 3.9.1958. In mid-September, the Icelanders were unceremoniously put ashore in Faxa-Bay. Magnúss, *Landhelgisbókin*, 114-115

As this was unfolding, *María Júlía* decided to make a go for another Grimsby vessel, the *Lifeguard*, trawling in the vicinity. But after the surprise move earlier in the morning, her crew was prepared to fight. When the gunboat sailed up to the trawler, the trawlermen leapt up behind the bulwark, wielding boathooks, rope-ends and an axe. After a running scuffle, fortuitously without serious injuries, the boarding attempt was repelled.²⁴² Britain had gained a minor victory in the ‘cod war’, a description which was apparently invented after these clashes.²⁴³ British superiority was not surprising but what, as Sir Frank Roberts complained in Paris, had happened to the Icelandic instructions about initial carefulness?²⁴⁴ In fact, they still stood. The problem was that Captain Kristófersson, the most senior officer in the service, loathed Pétur Sigurdsson and was determined to act as he saw most fit when the nation’s honour was at stake.²⁴⁵ ‘I remember that we were rather worried about Eiríkur because he was considered rather too pugnacious’, an official in the Prime Minister’s Office later recalled.²⁴⁶ Any hopes for an incident-free period of gradually reduced tension had been shattered. An ‘event’, partly determined by one man’s pride, had dramatically changed all aspects of the whole dispute.

After the battles in ‘Spearmint’, the Icelanders’ ire reached new heights. In the evening, a crowd of a few hundred people, mostly teenagers, assembled outside Gilchrist’s residence where he had invited a group of foreign correspondents to dinner. But the people were disappointingly timid and Eddie Gilmore, the eminent American reporter, is to have complained: ‘Mr. Ambassador, there ain’t no action! Looks like you brought us here under false pretences. No goddam headlines for A.P. out of this serenade’.²⁴⁷ The Ambassador’s response has long since entered diplomatic folklore for he is said to have donned a kilt and danced a Highland reel on the building’s balcony.²⁴⁸ While the truth is not as colourful, Gilchrist did taunt the people outside by playing full blast on his gramophone bagpipe music and military marches.²⁴⁹ The protesters were aroused and threw rocks, smoke bombs and flares at the house. Windows were broken amid jeers and shouts that ‘Vikings never give up’.²⁵⁰ In the midst of the mêlée, Gilchrist also went out to the garden to ‘walk his dog’, facing down the mob in the

²⁴² Ingólfur Kristjánsson, *Á stjórnþallinum* (Akureyri: Kvöldvökuútgáfan, 1959), 280-282, and *Daily Mail*, 3.9.1958.

²⁴³ E.g. *Daily Express*, 3.9.1958.

²⁴⁴ NARA: RG59/740B.022/9-1058, Burgess to Dulles, 10.9.1958.

²⁴⁵ Gunnar M. Magnúss, *Eiríkur skipherra* (Reykjavík: Skuggsjá, 1967), 126-133.

²⁴⁶ Birgir Thorlacius to author, 31.8.2001.

²⁴⁷ Gilchrist, *Cod Wars*, 84-85.

²⁴⁸ Sampson, *Anatomy of Britain*, 305.

²⁴⁹ Gilchrist, *Cod Wars*, 84-85.

²⁵⁰ BBC: News bulletin, 08:00, 3.9.1958.

‘approved *pukka sahib* tradition’ as *Time* magazine described the encounter.²⁵¹ The energetic Ambassador, described by friends as ‘maverick’ and ‘tough’, wanted trouble and got it.²⁵² The goal was to demonstrate to the world the uncivilised radicalism of the Icelanders and lessen the sympathy which they enjoyed in the struggle against ‘Goliath’.²⁵³

A more tactful man would have lied low that night. Gilchrist’s ruse did nothing to increase the likelihood of a solution, the main aim of all the other diplomats who were concerned with the dispute. On September 3, after the clashes at sea and the ‘riot’ in Reykjavík, Hans G. Andersen suggested from Paris that the government unilaterally give foreign fishermen the right to operate up to six or even four miles for the next three years. In light of the new circumstances Britain would almost be forced to accept such a compromise which the Social Democrats, Progressives and Conservatives had, after all, been willing to offer in the last days of August. But as Andersen accurately added, ‘this may be considered absurd since there have already been violent clashes’.²⁵⁴ There was no room for talks and later in the day the Icelandic government flatly rejected a Danish proposal for a ministerial meeting in NATO.²⁵⁵ The United States was of course particularly anxious as organisations throughout Iceland demanded the rupture of diplomatic relations with Britain and withdrawal from NATO.²⁵⁶

As in Reykjavík, however, retreat was not an option in London. That same day, knowing his masters’ minds, Thomas Brimelow immediately shot down a vague formula of voluntary abstention by British trawlers which American diplomats suggested to him.²⁵⁷ But Brimelow also knew what could, and could not, be achieved off Iceland. In ‘strict confidence’ he opined to the Americans that London had made a ‘basic mistake in decision to protect their trawler fleet’.²⁵⁸ Earlier Brimelow had also

²⁵¹ *Time*, 15.9.1958, 23. Also Thorgeir Thorgeirsson, *Ja—thessi heimur* (Reykjavík: Idunn, 1984), 141-144.

²⁵² On Gilchrist, see letter to author from anonymous diplomat, 6.7.2000, and Peck to author, 30.3.2001. Also Palliser interview, 2.4.2001, and Summerhayes interview, 22.11.2002.

²⁵³ Gilchrist, *Cod Wars*, 83-91.

²⁵⁴ THÍ-SÖ: 1993-3-1, Paris to Reykjavík, 3.9.1958.

²⁵⁵ PRO: FO371/134984/NL1351/761, Gilchrist to FO, 3.9.1958, and FO371/134984/NL1351/782, Copenhagen to FO, 3.9.1958.

²⁵⁶ NARA: RG59/740B.022/9-358, Elbrick memorandum, 3.9.1958. Magnúss, *Landhelgisbókin*, 107-108, 116-117.

²⁵⁷ PRO: FO371/134984/NL1351/781, Brimelow minute, 3.9.1958.

²⁵⁸ NARA: RG59/740B.022/9-358, Morris to Washington, 3.9.1958. This is a sanitised version without the British official’s name but it may safely be assumed that it was Brimelow. The view expressed corresponds with his minority opinion and it is documented that he met with American diplomats that day.

told other foreign representatives that nobody shared such ‘heresy’ as he put it.²⁵⁹ He alone could not break the ‘groupthink’ mould. Further events, however, might force through a change in policy. In the Western haven of ‘Butterscotch’, the gunboat *Albert* collided with the trawler *Burfell*. Both vessels suffered minor damage and tempers ran high.²⁶⁰ From the frontline, Commodore Anderson signalled to the Admiralty: ‘I appreciate the political problems but urge a face saving interim solution be found quickly for both countries if only to save needless loss of life’.²⁶¹

On September 4, the crisis continued. When sailing close to HMS *Russell* in ‘Butterscotch’, the gunboat *Ægir* took a steep starboard turn as if to hit the frigate, or at least that is how it looked from her bridge. *Russell* was abruptly forced off course. Although *Ægir* had thicker plates and could seriously damage the thin-skinned frigate, it was wrong to imagine that the gunboat was going for a head-on collision with a warship more than five times her size. This was a game of cat and mouse and while the mouse may have achieved a moral victory the frigate would not yield again. The day before, no less a character than the First Sea Lord, Admiral Mountbatten of Burma, had assured the leadership of the American Navy, anxious as before over the Keflavík base, that the Fishery Protection Squadron had ‘strict instructions to do nothing to provoke the Icelanders and make every effort to avoid incidents’.²⁶² But up north in ‘Butterscotch’, London-endorsed rules about the use or threat to use weapons disappeared into the deep as the Commanding Officer of HMS *Russell* shouted over a hailer: ‘*Ægir*, if you try to ram me I will blow you out of the water’.²⁶³ Determination was needed in the disputed waters and the Royal Navy Commanders, fine sailors and fiercely proud of their service and country, would take nonsense from no-one. Like Kristófersson and the other gunboat captains, they were not, to use the jargon of international relations studies, ‘dependent variables’.

Again, however, the old maxim was illustrated that ‘the tougher we get, the tougher [they] will get’.²⁶⁴ On the evening of September 4, one of the largest gatherings in Iceland’s history took place in Reykjavík. In an unprecedented move, speakers from

²⁵⁹ UD: 33.12/39/III, London to Oslo, 2.9.1958. Also PAAA: B80/245, London to Bonn, 5.9.1958.

²⁶⁰ ThÍ-FRN: 1989-B/555-1, Coast guard press release, 3.9.1958, and PRO: ADM306/18, HMS *Russell* to Admiralty, 15:37, 3.9.1958.

²⁶¹ PRO: ADM306/18, CTG334.0 to Admiralty, 10:50, 3.9.1958.

²⁶² University of Southampton Library Archives and Manuscripts: MB1/I153, Mountbatten to Duerfeldt, 3.9.1958.

²⁶³ *Daily Mail* and *Daily Telegraph*, 5.9.1958. Also ADM306/18, HMS *Russell* to Admiralty, 18:00, 4.9.1958, and ThÍ-FRN: 1989-B/555-1, *Ægir* to head of coast guard, 5.9.1958.

²⁶⁴ In 1946, US Secretary of Commerce Henry Wallace said, ‘the tougher we get, the tougher the Russians will get’. See Martin McCauley, *The Origins of the Cold War 1941-1949* (London: Longman, 2nd ed., 1995), 136.

all political parties called for unity against the common enemy and most rapturous was the applause when the representative from the People's Alliance sounded the battle cry which at once became ingrained in the nation's conscience: 'We don't deal with the Brits, we beat them'.²⁶⁵ After this show of solidarity, calls for caution or compromise would be likened to treason. '[N]o Icelfander will even consider a further discussion about settlement', Gudmundsson wrote to Spaak in Paris, and Hans G. Andersen is to have grumbled that 'everyone in Reykjavík has gone stark staring mad'.²⁶⁶

And this is how 'cod war' came. The entrenchment was complete and Macmillan's scheme for a solution had sunk in spectacular fashion. 'The Prime Minister says that I have misled him', Gilchrist bemoaned, but that was unfair.²⁶⁷ Macmillan had read reports from Reykjavík most selectively and despite the assurances about initial caution by the coast guard, he probably realised that he would count on Icelandic grace at his own peril. The prolongation of the conflict also demonstrated that those Icelanders who calculated that Britain would back down after a while, either by her own volition or after American pressure, were just as wrong. A long stand-off lay ahead.

²⁶⁵ *Thjóðviljinn*, 5.9.1958.

²⁶⁶ ThÍ-SÖ: 1993-3-1, Gudmundsson to Spaak, 11.9.1958. PRO: FO371/134986/NL1351/844, NATO Permanent Delegation to FO, 11.9.1958.

²⁶⁷ ThÍ-SÖ: 1993-3-1, Kristinn Gudmundsson to Reykjavík, 8.10.1958. Unfairly, Icelandic writers have also blamed Gilchrist for sending false reports to London. See Jónsson, *Friends*, 91, 99, *Sendiherra*, 104, 112, and Thór, *British Trawlers*, 187-189.

3.6. Power and Perseverance. Cod War as a Continuation of Politics, 1958-59

Although numerous events were to occur off Iceland over the following fishing seasons, none changed much the capabilities of the warring sides. They had varying strengths and weaknesses but taken together, tiny Iceland and Great Britain could only thwart each other, not gain victory. In absolute terms, British superiority was of course obvious to all. The Icelandic coastguard 'fleet' could have been immobilised or sunk in a matter of days. But 'cod war', as proper wars, was simply a continuation of politics by other means. It also proved to be a classic case of the complexities of power in the era of Cold War and increased interdependence in international relations.

First, the 'cod war' would not be won or lost at sea. Skirmishes continued, including Anderson's and Kristófersson's exchange of biblical citations and a naval 'battle' when the crews of a trawler and gunboat pelted each other with dried cod and potatoes.²⁶⁸ Other episodes were far more serious. In November, for instance, *Thór* wanted to arrest a trawler which had most likely been poaching within the old four-mile limit. 'If she resists I will shoot', Kristófersson cabled to HMS *Russell* nearby. 'If you fire at her I shall sink you', replied the frigate's commander, echoing earlier warnings to *Ægir*. The

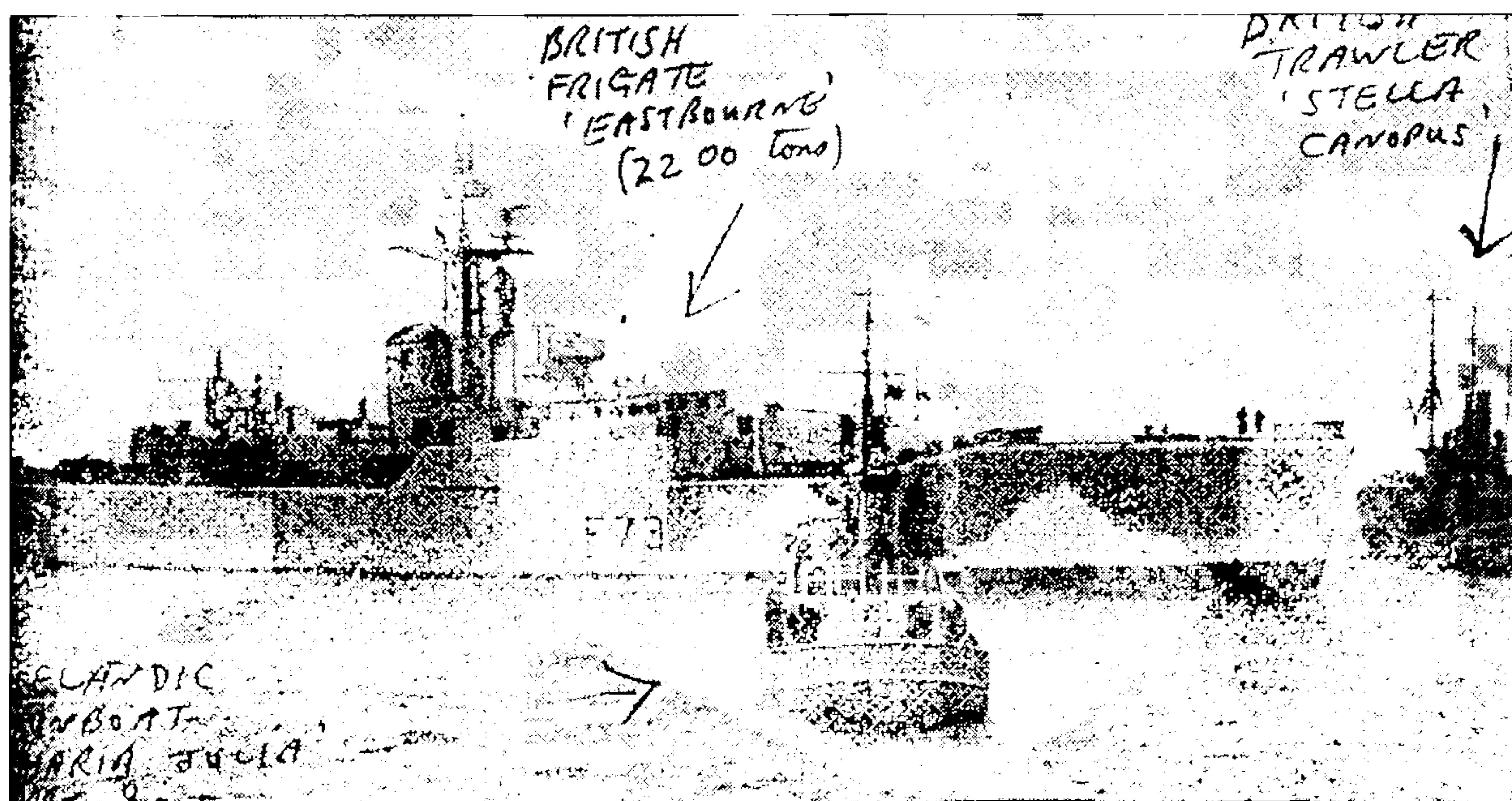


Figure XIV. Size matters? HMS *Eastbourne* prevents the coast guard vessel *María Júlía* from approaching the trawler *Stella Canopus* in the first days of the 'cod war'.

²⁶⁸ For the biblical despatches, see *Daily Telegraph*, 6.9.1958. Also Proverbs 1, verse 17-19, and Proverbs 29, verse 16. For the cod and the potatoes, see *Times*, 10.9.1958.

trawler got off the hook and only in February and April 1959 did the Icelanders manage to arrest two trawlers for illegal fishing within four miles.²⁶⁹ But such ‘stragglers’ could not expect the defence of the Royal Navy. In the havens outside, fishing was safer, if inconvenient and sometimes stressful, for the gunboats would ‘buzz’ the trawlers by sailing alongside of them and declaring that they were poaching in Icelandic waters. ‘Up yours’ was the polite reply. Occasionally, warning shots were fired and boarding attempts prepared. Such aggravation the trawlermen called ‘superbuzzing’.²⁷⁰ If needed in those circumstances, the frigate commanders would simply warn that they could also open fire.²⁷¹ Usually, however, peace prevailed. ‘The whole thing seems to be on an “old boy” basis’, said one of the naval officers in early 1959.²⁷²

Regardless of British superiority, this state of affairs was certainly not feasible in the long run. The repair facilities in Iceland were needed and sick or injured seamen could no longer be taken to harbour since the trawler would be detained and charged with poaching. Initially, warships were allowed to bring in such cases but this concession was quickly abandoned.²⁷³ Catches in havens were often unsatisfactory and the unavailability of shelter under the lee of the land was grievous over the winter months.²⁷⁴ Nor was indefinite naval protection appealing from the Admiralty’s point of view. The costly and troublesome burden of keeping warships and a tanker on ‘cod war’ duty (only the additional cost of oil amounted to £50,000 per month) confirmed the fears over Britain’s ‘overstretch’ in the post-war period.²⁷⁵ Moreover, HMS *Palliser* and *Russell* were badly damaged after severe shuddering in the rough waters off Iceland.²⁷⁶ In short, the environment and the elements were on Iceland’s side. ‘Hitler and Napoleon made it to the gates of Moscow’, a coast guard officer later said smilingly, ‘but they did not survive a northern winter’.²⁷⁷

The underdogs also benefited from compassion on the world scene. Even in Britain, Brimelow pointed out that ‘we have a publicity problem ... with far too much

²⁶⁹ PRO: ADM306/20, HMS *Russell* to CTG334.0, 22:01, 13.11.1958, and Magnúss, *Landhelgisbókin*, 151-156, 171-184.

²⁷⁰ PRO: ADM306/6, ‘Operation Whippet’. ‘No. FP 230. Captain FPS’s OP-Order 1-58’, 3.9.1959. Also Sigurdsson interview, 27.6.2001, Mussell interview, 4.12.2002, and Taylor interview, 8.12.2002.

²⁷¹ E.g. PRO: ADM306/24, CTG334.0 to Admiralty, 6.6.1959.

²⁷² *Navy News*, April 1959, 8.

²⁷³ Magnúss, *Landhelgisbókin*, 144-145.

²⁷⁴ E.g. *Daily Telegraph*, 3.1.1959. From 1958 to 1959, British catches off Iceland decreased from 217,475 to 176,644 tons. It must be remembered, though, that catches could easily fluctuate for natural reasons. Thór, *British Trawlers*, 242.

²⁷⁵ PRO: ADM1/27139, Admiralty minute, 7.10.1958. FO371/143119/NL1352/107, Pritchard to Brimelow, 23.10.1959.

²⁷⁶ PRO: ADM306/29, Anderson to Admiralty, 26.10.1958.

²⁷⁷ Kjærnsted interview, 3.6.2002.

sympathy already for “poor little Iceland””.²⁷⁸ Yet it only went so far and the Icelanders came to deplore the lack of interest in the dispute. Isolated incidents like the confrontation between *Thór* and HMS *Russell* received attention but after the initial thrill, the journalists had gone, disappointed as one of them told a Royal Navy Commander, tongue in cheek, that ‘you didn’t sink the *Ægir* and give me a lead story’.²⁷⁹ At the end of 1958, Thor Thors, Ambassador in Washington and at the United Nations, complained that most of his fellow diplomats had come to regard the ‘cod war’ as ‘some easy banter’.²⁸⁰

Most importantly, the ‘Communist’ scare did not seem to work as well as before. To be sure, the strength of the People’s Alliance was still acknowledged. ‘Hermann is in the hands of the Communists’, Gilchrist is to have described Iceland’s Prime Minister on the first day of the conflict.²⁸¹ A few days later, furthermore, the Beijing regime declared a 12-mile limit of territorial waters off mainland China. In late August, they had begun an intensive shelling of the Nationalist-controlled islands of Quemoy and Matsu and the 12-mile declaration was directly connected to that operation.²⁸² At the same time, the Soviets were rattling their weapons over the status of West Berlin. ‘One does not need much imagination to notice a certain semblance between Quemoy, Iceland and Berlin’, Fisheries Director Meseck wrote for the Cabinet in Bonn.²⁸³ Although a direct connection of this kind was not made in Washington, John Foster Dulles worried—while discussing the offshore islands crisis at the start of September when ‘cod war’ had erupted—that seemingly ‘the Sino-Soviet strategy is designed to put strains on us at many separate places’.²⁸⁴

It may be recalled that Western statesmen had claimed to see Communist machinations on these lines at the Geneva conference.²⁸⁵ As in that case, the harmony now was coincidental rather than prearranged. On more quiet days than September 1, 1958, Gilchrist also realised that Jónasson would not have acted very differently without the ‘Communist clutches’. But the Ambassador was frustrated and it was probably tempting to explain the failure to find a diplomatic solution by the insurmountable

²⁷⁸ PRO: FO371/135001/NL1351/1194, Brimelow to Gilchrist, 8.12.1958.

²⁷⁹ Hammond interview, 7.9.2001. Hammond cited a letter to him from Tom Baistow, 30.10.1958.

²⁸⁰ Papers of Ásgeir Ásgeirsson: Thors to Ásgeirsson, 31.12.1958.

²⁸¹ Foss interview, 5.9.2002.

²⁸² ‘Mao Zedong’s Handling of the Taiwan Straits Crisis of 1958: Chinese Recollections and Documents’. Translated and annotated by Li Xiaobing, Chen Jian and David Wilson, *CWIHP*

<<http://www.gwu.edu/~nsarchiv/CWIHP/BULLETINS/b6-7a17.htm>>, 6, 9, 12. Accessed 24.3.2000.

²⁸³ BA-BML: B116/42638, Meseck memorandum, 15.1.1959.

²⁸⁴ KCLMA: John Foster Dulles Papers (microfilmed), MF596-0874, Dulles to Macmillan, 4.9.1958.

²⁸⁵ See section 3.2, 150.

object of 'Communist' machinations. After all, that is what politicians in Iceland had often done, and they continued to play on fears of an anti-Western backlash. In early October 1958, for instance, the Icelandic Prime Minister warned Ambassador Muccio that '[h]ostile feelings towards the British might reach such intensity that we might have to break off diplomatic relations with Britain and even withdraw from the North Atlantic Treaty Organisation'.²⁸⁶ Would it have happened? The Norwegian Lange, who probably watched the dispute closer than any other NATO Minister, argued early on that no matter what, Iceland would remain in the Alliance.²⁸⁷ The Icelanders relied on economic goodwill and assistance from the West, and the crisis in 1956, when they looked ready to expel the American forces from Keflavík, had demonstrated how angrily the United States might respond to a charge against its perceived vital interests in the North Atlantic.²⁸⁸ The 'no base-no money' bond still restrained the authorities in Reykjavík.

After the outbreak of 'cod war', it even seemed as if the Icelanders had cried wolf once too often. In Paris, General Secretary Spaak had lost all patience with them. 'Whatever Iceland's strategic value to the Alliance', he confidentially insisted, 'it would be a grave mistake to give way before such blatant blackmail on the part of small countries'.²⁸⁹ Dulles, similarly, told Ambassador Sir Pierson Dixon in New York how 'it would be quite wrong that [Britain] should yield on what was an important question of principle affecting other parts of the world'.²⁹⁰ In all likelihood he was thinking of Quemoy and Matsu, a far greater worry for the United States in the larger context. But this incidental one-sidedness highlighted the inconsistency and ignorance which so often plagued top-level decision-making in Britain as well. At the NATO meeting in Copenhagen in the spring of 1958, Dulles had appeared to incite the British before asking them to wage war only on paper. Now he encouraged Britain again, much more than the State Department would have liked.²⁹¹ In Reykjavík, Muccio also sided firmly with Iceland, as recounted later by a member of the British Embassy staff: 'You damn British, you can't do this to the Icelanders. You know, you're sending those damn

²⁸⁶ ThÍ-FRN: 1989-B/555-1/L-1-II, Jónasson to Muccio, 3.10.1958.

²⁸⁷ NA-CAN: RG25/8352/10600-F-40-1.1, UN Permanent Mission to Ottawa, 17.9.1958.

²⁸⁸ See section 2.8, 119.

²⁸⁹ PRO: FO371/134986/NL1351/830, NATO Permanent Delegation to FO, 10.9.1958. Spaak also wrote Gudmundsson that a solution was only possible if both sides made concessions. ThÍ-SÖ: 1993-3-1, Spaak to Gudmundsson, 25.9.1958.

²⁹⁰ PRO: FO371/134988/NL1351/886, Dixon to FO, 16.9.1958.

²⁹¹ For State Department anxiety over the naval protection, see NARA: RG59/40B.022/10-458, Burgess to Dulles, 4.10.1958.

warships up there. They're just off the ... coast, people in their homes can see them off their doorstep. You must stop this whole thing'.²⁹²

Within NATO, feelings were also divided between sympathy for Iceland's reliance on fisheries, and unhappiness with her unwillingness to make any concessions. The intransigence appeared to compare unfavourably with Britain's compromise offer, which always stood, of six miles for the time being.²⁹³ Then again, although the dire warnings about Iceland's presence in the Alliance were taken with a grain of salt, few in the West doubted that if Icelandic sailors lost their lives in clashes with the Royal Navy, an infuriated population would definitely call for the rupture of diplomatic relations with London. Afterwards, a withdrawal from NATO was easily imaginable. Low-risk resistance by Britain could therefore be tolerated, but not escalation. It was no wonder, then, that reports on the increased likelihood of clashes were badly received in Washington. At the end of February 1959, the lucrative spring season was beginning and two British havens were to be established to the south and west off Iceland, in the midst of fishing grounds which local line- and net-fishermen frequented and were closed to Icelandic trawlers. Muccio was alarmed and this time the US administration was obviously angered. The language, if not the intensity, was beginning to resemble communications just before Suez. '[W]e would hope British would not take any such action without consulting us', was the American message in both Washington and London: 'The reported action, if true, would have a divisive effect on NATO at a time when NATO solidarity is essential'.²⁹⁴

Still, Britain did not change course. In the Foreign Office, the Icelanders were deemed to be feigning it again and a shift in havens, which was needed to follow the fish, was not considered worth all the fuss. 'The [Foreign] Secretary did not have time to see this', was scribbled on a minute about the American worries.²⁹⁵ In a *pro forma* discussion, the Cabinet endorsed the new arrangement, on the potentially shaky assumption that the trawlers would refrain from provocative behaviour.²⁹⁶ The Americans were not pleased and repeated their 'grave disquietude'.²⁹⁷ Would Britain never learn to cut her losses? In connection with the Icelandic dispute, they would mention that she was already contributing to instability within NATO by 'colonial'

²⁹² Karlsson Kidson interview, 21.2.2002. Also NARA: RG59/40B.022/9-1558, Muccio to Dulles, 15.9.1958.

²⁹³ NATO: C-R(58)66, IS-0008, NAC meeting, 18.12.1958, and GÍG-I: Andersen report, 21.12.1958.

²⁹⁴ NARA: RG59/740B.022/2-2858, Herter to London, 28.2.1959.

²⁹⁵ PRO: FO371/143116/NL1352/41, Brimelow minute, 4.3.1959.

²⁹⁶ PRO: PRO: FO1109/228, Joy minute, 1.3.1958, and CAB128/33, CC(59), 14th meeting, 4.3.1959.

²⁹⁷ NARA: RG59/740B.022/3-259, Merchant memorandum, 2.3.1959.

intransigence over the 'Cyprus problem', another island where Macmillan, in February 1959, prioritised that British interests must be protected.²⁹⁸

For the following weeks and months, everyone was riding their luck in the protected fishing grounds, which soon included a new haven off the Westfjords. A number of Icelandic nets were wrecked through trawling, the gunboats 'buzzed' and 'superbuzzed', and tension was high.²⁹⁹ Still, no crisis came. Had one arisen, American anxiety would have turned to fury and it only seemed a matter of time before there would be casualties on either side. Commodore Anderson blamed the Icelanders' aggressive tactics while they felt that they had more to fear from the frigates. At the end of May, Anderson trained the guns of his frigate on *María Júlía* after she had fired warning shots towards a British trawler. 'I want you boys to fully understand that I was not bluffing', he announced on the trawler radio. 'I will not have this nonsense from these people'.³⁰⁰

Bluff or no bluff across the table, the stakes were certainly high. Seemingly, one side or the other would have to fold at some stage, and if there was one undisputable factor in the composition of power in the conflict, it was Icelandic commitment. Not that it mattered much at that stage, but at the end of 1958, a new regime had been formed in Reykjavík, the left-wing coalition having collapsed after disputes over economic reforms. The Social Democrats formed a minority government with Conservative support. Gudmundsson kept his post at the Foreign Ministry and Emil Jónsson, who had been President of the *Althing*, became Prime Minister. He swiftly emphasised that no policy changes should be expected, as it would be 'suicidal for any government to give in'.³⁰¹ If confirmation was needed, it came on May 5, 1959, when the Parliament unanimously reaffirmed Iceland's right to the whole continental shelf, and stated that 'fishery limits of less than 12 miles from baselines around the country are out of the question'.³⁰² The unity on this 'highest common denominator' was so great that the 'cod war' did not figure largely in two parliamentary elections later in the year.

²⁹⁸ NARA: RG59/740B.022/10-458, Burgess to Dulles, 4.10.1958. BOD: MSS. Macmillan, diary 20.2.1959. Also Holland, *Pursuit*, 265-266, and Edward Johnson, 'Britain and the Cyprus Problem at the UN, 1954-58', *Journal of Imperial and Commonwealth History*, Vol. 28, No. 3, 113-130.

²⁹⁹ *British Aggression*, 9-15, *Morgunbladid*, 26.3.1959, and *Thjóðviljinn*, 22.4.1959. Also Baker to author, 4.4.2002, and Cook to author, 12.11.2000.

³⁰⁰ GÍG-IV: *María Júlía* to coast guard HQ, 2.6.1959. Also PRO: ADM306/24, Anderson to Admiralty, 21.5.1959.

³⁰¹ RA-DEN: 55.ISLAND.1/IX, Kronmann to Oldenburg, 13.1.1959. Kronmann was recounting a conversation with Gilchrist.

³⁰² See Jónsson, *Friends*, 106.

Emil Jónsson was a ‘friendly and helpful’ man, according to both Gilchrist and Henderson before him.³⁰³ At the outbreak of the dispute, he had deplored the ‘chauvinistic’ mood in the country, finding it similar to ‘the old attitude towards Denmark when those who were accommodating got branded as traitors’.³⁰⁴ This was a silent minority view, however, and in November 1959, a new Conservative-Social Democrat coalition was formed, the so-called ‘Reconstruction regime’. Ólafur Thors regained the Premiership and although he could be as friendly as Jónsson, he was certainly not going to be overly helpful.³⁰⁵ ‘I have the right of God on my side’, he had gallantly proclaimed in the summer. ‘I have the right of a small nation to exist’.³⁰⁶ Thus, the importance of ‘culture’, or ‘Third-World-effect’ in Icelandic foreign policy, must be re-emphasised here.³⁰⁷ For most Icelanders, the ‘cod war’ was a continuation of the struggle for independence, a colonial fight just like the separation from the Danes in 1944. Political freedom had been won but sovereignty over the country’s sole resource was still to be secured. ‘[T]hink of Iceland in terms of Ghana’, Gilchrist wrote to Brimelow in September 1958.³⁰⁸ Peter Kidson, another Briton in the Reykjavík Embassy, also lamented that his government

... had failed dismally to understand the Icelandic psychology and make the necessary allowances for the sensitivity of a very small country which had so recently gained its independence. His own people, he thought, might have applied some of the lessons they had learned the hard way in their dealings with Ireland, with which there were striking historical and temperamental similarities.³⁰⁹

This was a problem. Regard for Iceland’s intransigent nationalism was either limited, or it merely hardened British minds, because ‘culture’ and commitment mattered on that side as well. First, prestige still counted and as Brimelow ruefully estimated in March 1959, although the Admiralty would not regret an end to ‘Operation Whippet’, a withdrawal of the warships would involve a ‘loss of face’, greater than a decision not to

³⁰³ PRO: FO371/116426/NL1012/1, Henderson to Macmillan, 27.7.1955. FO371/128749/NL1012/1, Gilchrist to Lloyd, 25.9.1957.

³⁰⁴ RA-DEN: 55.ISLAND.1/VII, Knuth to Svenningsen, 26.8.1958.

³⁰⁵ Papers of Hilmar Foss, Reykjavík [henceforward HF]: Foss to Mangeot, 18.11.1959.

³⁰⁶ Michael Frayn, ‘Political aims in Iceland’, *Manchester Guardian*, 18.8.1959.

³⁰⁷ Ingimundarson, *Uppgjör*, 331. Also section 2.7, 114.

³⁰⁸ PRO: FO371/134932/NL1016/1, Gilchrist to Brimelow, 24.9.1958.

³⁰⁹ NA-CAN: RG25/3993/10600-W-40-2, Copenhagen to Ottawa, 16.6.1959. On the importance of perceptions of the adversary, see Rosemary Foot, *Substitute for Victory: The Politics of Peacemaking at the Korean Armistice Talks* (Ithaca, NY: Cornell University Press, 1990). For a discussion on British perspectives of other peoples, see e.g. David Cannadine, *Ornamentalism. How the British saw their Empire* (London: Allen Lane/Penguin, 2001).

grant it the summer before would have done.³¹⁰ Likewise, the pull of principle remained strong. Although Fitzmaurice was not so unequivocal, other members of the Foreign Office mentioned that Britain's efforts to defend 'historic rights' at the second Law of the Sea Conference might be seriously prejudiced, should fishing cease within Iceland's 12-mile limit.³¹¹ And the precedent set by surrender would, as before, be noticed elsewhere in the North Atlantic.³¹²

Finally, domestic pressure always had to be reckoned with. In mid-May, just after the *Althing* declaration about no surrender and the continental shelf, Prime Minister Macmillan insisted that 'if we agreed a 12-mile limit for Iceland we lost our fishing industry in this country and this was something which no UK Government of whatever complexion would be prepared to tolerate'.³¹³ This was an exaggeration. Still, the trawling industry would of course be furious if the authorities were to abandon them. At the start of the conflict, the Icelanders decided to refrain from sending trawlers with catches to British ports, lest the owners and crews were provoked to impose a new landing ban. In early 1959, however, they tried to test the waters and when *Ingólfur Arnarson* (incidentally the first vessel to carry fish to the ill-fated George Dawson in 1953) brought her catch to Grimsby, the port's Trawler Officer's Guild threatened to strike. Dennis Welch, its militant secretary, insisted that not only was it intolerable that the Icelanders could sell fish on the British market but sanctions were also essential to break them. The Guild only backed down because the Hull skippers voted against any action at this stage.³¹⁴ The pressure continued, however, and there were cases later in the year when Icelandic trawlers had to be diverted from Humberside because they would not have been unloaded.³¹⁵ Clearly, the economic 'weapon' might be branded if Britain would put an end to the naval protection. An interdepartmental meeting in Whitehall thus agreed that any evaluation of such a step would have to include the fact

³¹⁰ PRO: FO371/143107/NL1351/87, Brimelow minute, 19.3.1959. As one historian later put it, in 1959 '[t]he British ... had a large psychological and economic investment in withstanding Iceland's claim to a 12-mile exclusive fishing zone'. See NARA: RG59/POL33-8, Box 2019, Beverly Rowsome, 'The UN Conference of 1960 on the Law of the Sea: Pre-Conference and Conference Diplomacy on Fisheries and the Territorial Sea'. Historical Studies Division Paper, US Department of State, June 1973, 28.

³¹¹ PRO: FO371/143107/NL1351/87, Gutteridge and Fitzmaurice minutes, 11.3.1959, and FO371/141810/GW327/1, Simpson minute, 25.3.1959.

³¹² PRO: FO371/143107/NL1351/87, Brimelow minute, 11.3.1959. Also MAF255/435, Godber minute, 9.11.1959.

³¹³ PRO: PREM11/2677, note on Macmillan-Drew meeting, 11.5.1959.

³¹⁴ *Alþýðubladid*, 5.2.1959. *Grimsby Evening Telegraph*, 6.2.1959.

³¹⁵ *Grimsby Evening Telegraph*, 26.10.1959.

that 'our own fishing industry are in no mood to accept further concessions at their expense'.³¹⁶

To sum up, both Britain and Iceland had reasons aplenty not to surrender. On the other hand, they could hardly advance either. For the Icelanders, the threat to leave NATO was not credible unless a disaster of some kind occurred at sea, and would they in any case bite to blood the Western hand that fed them?³¹⁷ For the British, escalation carried the risk of condemnation and American pressure, possibly of Suez proportions.

Still, the stand-off could not last forever and as strange as it may sound, Iceland was gradually proving stronger. The 'cod war' superbly supports the maxim that 'power has no absolute existence. What matters is not the aggregation of resources, but the ability to apply appropriate force about a given point'.³¹⁸ In the summer of 1959, Gilchrist said sarcastically that 'the whole thing ... was merely a good example of power politics in action (from the Icelandic side, *bien entendu*)'.³¹⁹ Needless to say, Britain was also trying to play power politics. The only difference was that it did not work. The British body of decision-makers had, consciously and unconsciously, broken some cardinal rules of bargaining with threats of force, as described for instance by Richard Ned Lebow:

Do not make threats where the costs of failure would be greater than the benefits of success. If the outcome of the threat is unpredictable, the odds are against you. A threat is only worth the risk if you are reasonably confident that it will succeed.

Do not make threats you are unprepared to carry out.

Do not make threats likely to damage important relationships. Even when successful, such threats may bring short-term gains at the expense of greater long-term losses.³²⁰

In September 1958, it had appeared pragmatic, for reasons of power, prestige, pressure, principle and precedence, to use the Royal Navy as a tool in a diplomatic negotiation. By the second half of 1959, Britain only wanted to beat a dignified retreat from the troubled waters off Iceland. The long-term impracticality of short-term pragmatism was

³¹⁶ PRO: FO371/143113/NL1351/197, FO to NATO Permanent Delegation, 3.11.1959. Also MAF209/68, Huntley minute, 23.1.1959, and FO371/143107/NL1351/87, Brimelow minute, 11.3.1959.

³¹⁷ In 1959, the Social Democrat minority government received a favourable \$6 million loan from the United States and the Conservative-Social Democrat 'reconstruction government' was given \$3 millions in late 1960. See Ingimundarson, 'Vidhorf Bandaríkjanna', 343-344. That coalition also received a \$30 million stabilisation aid from the OEEC, IMF and the USA. Ingimundarson, *Struggle*, 58.

³¹⁸ Cable, *Gunboat Diplomacy*, 75. Also Booth, *Navies*, 29. Habeeb, *Power*, 125-128.

³¹⁹ PRO: FO371/143110/NL1351/153, Gilchrist to Brimelow, 8.8.1959.

³²⁰ Richard Ned Lebow, *The Art of Bargaining* (Baltimore: The Johns Hopkins University Press, 1996), 84-85.

beginning to tell. But how and when might the withdrawal take place? Experience elsewhere would suggest that 'muddling through', 'drifting' or 'hanging on', rather common British endeavours in the post-war period, could last for a fairly long time.³²¹ Only a shock in connection with Icelandic casualties on the fishing grounds might have forced through a policy change.³²² At first sight, a referral to the International Court would also have seemed to provide the required way out. Yet, in spite of faith in their basic argument, neither side was really willing to put its case to The Hague where it would, in any case, have dragged on for a few years.³²³ Most reasonably, British decision-makers could pin their hopes on the second Law of the Sea of the Conference, to be held in early 1960. First, however, it was tempting to think, as some had done in the mid-1950s, that a tolerable agreement with the Faroe Islands would lead the Icelanders to 'see reason'. In 1958-59, alongside the stalemate off Iceland, more progress was made elsewhere in the Atlantic.

³²¹ See Hennessy, *Muddling Through*, and Kennedy, *Realities*, 315-384.

³²² In general, as John Stoessinger argues, 'people abandon their bad habits only when catastrophe is close at hand. The intellect alone is not enough. We must be shaken, almost shattered, before we change'. See Pickering, *Britain's Withdrawal*, 202-203, and Frankel, *Making*, 196-197.

³²³ PRO: FO371/143108/NL1351/121, Fitzmaurice to Vallat, 25.5.1959. Jónsson, *Friends*, 97-99.

3.7. *The Friendly Alternative? Agreement off the Faroe Islands, 1958-59*

As if an international conference and a 'cod war' did not cause enough friction over fish in 1958, a dispute also arose over the fishing limits off the Faroe Islands.³²⁴ Not only did it need a solution in its own right, but it was inevitably tied to developments elsewhere. In the larger context, this Faroese factor was unfortunate in two ways. On the one hand, the presence of the Faroe Islanders waiting to sail in the Icelanders' wake strengthened Britain's determination not to succumb to the inevitable off Iceland. On the other, the more favourable correlation of power in Britain's struggle against the Faroe Islands supported the wishful thinking that since a satisfactory settlement could be reached there, so might the Icelandic conflict have a happy ending, after all.

When the Icelanders were stating their intention to declare a 12-mile limit at the Geneva conference in the spring of 1958, Faroese Home Rule Premier Kristian Djurhuus assured British officials that the Faroe Islanders would never accept a worse deal than their neighbours in the North Atlantic.³²⁵ Thus, on June 6, the *Lagting* in Tórshavn resolved to extend the fishing limits, as Reykjavík intended, to 12 miles on September 1.³²⁶ Naturally, domestic politics were involved. Elections were due, in November at the latest, and a miniature version of the Icelandic party scene was visible on the Faroe Islands. Erlendur Patursson, the leader of the separatist and socialist-oriented Republicans was in some ways a Faroese version of Lúdvík Jósepsson and continued to harden the opinions of most other politicians. 'You don't negotiate with a thief over your life', he insisted in the summer of 1958, resembling the subsequent 'cod war' cry in Iceland of not dealing with the Brits, but beating them.³²⁷

The British apprehension about falling dominos in the North Atlantic was therefore fair. But as the Icelandic dispute was brewing, and the Faroese waited in anticipation, the farsighted Thomas Brimelow wondered whether Britain could not construct a *strategy*. If enticing concessions were offered to the Faroe Islands, the Icelanders would have to 'take the initiative in asking that we should grant to them whatever concessions we have granted to the Faroese'. They would realise that compromises were 'not only more correct but also more profitable', and the world

³²⁴ Next to nothing has been written on this conflict. For a short overview, see Patursson, *Fiskivinna*, 51-58.

³²⁵ PRO: FO371/134738/ND1351/7, Cullis to Brimelow, 23.4.1958.

³²⁶ *Tíminn*, 9.6.1958.

³²⁷ *Thjóðviljinn*, 28.6.1958. Also 55.DAN.31/VIII, Elkær-Hansen to Svenningsen, 5.9.1958.

community would also see that Britain was genuinely willing to negotiate with a small nation.³²⁸ Brimelow's idea was not well received in Whitehall. Manningham-Buller, still ignoring the prevalence of politics in the law of the sea, reminded him that the 1955 agreement with the Faroe Islands was meant to last for ten years and should simply be honoured.³²⁹ More valid, however, were Fishery Secretary Wall's doubts whether 'the Faroese tail could successfully wag the North Atlantic dog'.³³⁰ It seemed as if even the coolheaded Brimelow was being guilty of wishful thinking. On its own, this suspicion sufficed to damage his proposal. As he himself also admitted, the trawlermen would not (to put it mildly) like to sign away fishing rights premeditatedly. And fundamentally the idea of shaping events went against the spirit of reactive 'pragmatism' which prevailed in Whitehall. An interdepartmental meeting agreed that although concessions might turn out to be necessary, any 'initiative' must come from Denmark.³³¹

That happened in mid-June 1958 when the authorities in Copenhagen asked for talks with Britain on a revision of the arrangement from 1955. Prime Minister H.C. Hansen had earlier declared that in principle, Denmark wanted a 12-mile limit off the Faroe Islands, because of the population's extreme dependency on fisheries.³³² In closed conversation with Sir Roderick Barclay in Copenhagen, Secretary-General Nils Svenningsen also stressed 'the explosive situation in the Faroes'. Patursson's 'Communists' and other pro-independence parties might even gain victory in the forthcoming elections.³³³ In the late 1950s, Washington stressed that the Faroe Islands were of equal strategic importance to the United States and NATO as Iceland or Greenland,³³⁴ so Svenningsen emphasised that the 'general interest of the West required that the Faroese should be given satisfaction'.³³⁵ Again, a 'mini-Iceland' situation seemed to be in the making. At the start of July, in reply to the Danish request for talks, Britain emphasised that the 1901 treaty with the additions from 1955 had served all parties well and should remain in force.³³⁶ While not as important as the waters off Iceland, the Faroese grounds were valuable, especially for Aberdeen and the smaller Grimsby trawlers.³³⁷ After the 12-mile declaration in Tórshavn, the trawler owners were

³²⁸ PRO: FO371/134738/ND1351/23, Brimelow draft submission, 30.5.1958.

³²⁹ PRO: FO371/134738/ND1351/24, Manningham-Buller to Brimelow, 5.6.1958.

³³⁰ PRO: FO371/134739/ND1351/50, Wall to Hutchison, 18.6.1958.

³³¹ PRO: FO371/134740/ND1351/57, interdepartmental meeting, 30.5.1958.

³³² RA-DEN: 55.DAN.31/VII, Hansen declaration, 6.6.1958.

³³³ PRO: FO371/134739/ND1351/46, Barclay to FO, 17.6.1958.

³³⁴ Johanes, *Færøerne*, 67-68. Thorsteinsson, *Hernadarmál*, 58-62, 125-135. Villaume, *Allieret*, 616-621.

³³⁵ PRO: FO371/134739/ND1351/46, Barclay to FO, 17.6.1958.

³³⁶ RA-DEN: 55.DAN.31/VIII, FO memorandum, 2.7.1958.

³³⁷ PRO: MAF209/1472, MAFF note, 11.9.1958.

reported to have threatened a ban on the landings of fish from Danish and Faroese vessels.³³⁸ The apparent slide to a conflict on Icelandic lines continued.

This is where such similarities end, however. Despite their sympathy, the authorities in Copenhagen did not like the Faroese 12-mile declaration, just like they had not welcomed calls to follow Iceland's lead earlier in the decade. Danish fishermen were against limit extensions, particularly if such measures would harm their access to the British market, and within the Foreign Ministry the old 'bacon-consideration' resurfaced briefly: 'economic dependence on exports to Britain ... must make Denmark opt for a more moderate policy'.³³⁹ Furthermore, the Danish government had repeatedly stated its aversion to unilateral extensions, the follow-on Law of the Sea Conference lay ahead, and the delimitation of the state's fishing limits was not a local Faroese affair.³⁴⁰ Danish officials freely told outside observers that they were mainly calling for the talks with Britain to 'keep face' in Tórshavn.³⁴¹ National 'culture' also mattered. Hansen, as most Danes, was notably Anglophile and a devoted believer in the 'Denmark is a little land' philosophy.³⁴² The Danes simply did not want to rock the boat. Yet, Britain was not going to misuse their benevolence because, as Burke Trend summarised for Macmillan in October, Copenhagen had characteristically been 'very friendly', unlike the Icelanders.³⁴³ This amiability should be met in kind.

By this stage, negotiations between Britain and Denmark had already begun. On September 12, the two parties met in London, under the leadership of John Hare and Denmark's Finance Minister, Viggo Kampmann. Notwithstanding the favourable disposition, a compromise could not be reached before the opposing sides had tabled their utmost positions. In addition, both 'bogeymen' and more manifest adversaries were to intervene at one stage or another. First, the spectre of communism appeared. Shortly before the opening round, the Danes reiterated that unless a 12-mile limit was established, the Faroese might break ties with Denmark. After that, the danger might be that 'the Communists would, in due course, take over in the Faroes and establish progressively closer and eventual military links with the USSR'.³⁴⁴ At the meeting

³³⁸ *Morgunbladid*, 14.6.1958.

³³⁹ RA-DEN: 55.DAN.31/VIII, Ministry draft memorandum, 4.9.1958. Also section 2.5, 99.

³⁴⁰ *Timinn*, 9.6.1958.

³⁴¹ BA-BML: B116/73221, Meseck minute, 3.11.1958.

³⁴² In the summer of 1958, Hansen declared, in connection with the Anglo-American interventions in the Middle East, that the Danes should keep a low profile since they neither should nor could contribute actively to the solution of great international issues. Villaume, *Allieret*, 879. Also section 2.5, 99-100.

³⁴³ PRO: PREM21/2762, Trend minute, 21.10.1958.

³⁴⁴ PRO: FO371/134741/ND1351/98, Selby to FO, 6.9.1958.

itself, Kampmann voiced this caution again although he thought it necessary to add that the Danes were ‘not trying to conjure up ghosts here’.³⁴⁵

Again Britain was subjected to ‘blackmail’, as the Embassy in Copenhagen put it, and this time by the miniature Faroe Islanders, via the most pro-British of peoples.³⁴⁶ But would it work? On September 4, when the ‘cod war’ was at its sudden height and naval protection was fast diminishing Iceland’s fondness for NATO, Danish officials recognised that Britain seemed to be sidestepping the strategic connotations in the Icelandic case.³⁴⁷ At the talks in London, Hare also complained how ‘it was not acceptable that the larger members of NATO always had to make concessions to protect Alliance unity’.³⁴⁸ Moreover, the Danes were so obviously bluffing when they raised the risk of a Soviet satellite on the Faroe Islands—a ‘Cuba’ less than 200 miles from John O’Groats, as it were. Even the Americans concluded that *enfant terrible* Patursson was not Moscow-oriented, but more in the co-operative mould.³⁴⁹ Neither was the Faroese desire for full independence as unequivocal as it had for instance been in Iceland before and during the Second World War.³⁵⁰

Deep down, both the Danes and the British knew that the 12-mile demand could safely be put aside. During a second and third round of talks in October, when representatives from Tórshavn also participated, a compromise emerged. It was mostly based on the American proposal from Geneva about ‘6+6+historic rights’. No foreign fishing would be allowed within a six-mile limit, drawn in part by Danish-favoured baselines and in part from the British-type low-water mark, while traditional trawling could continue in the outer zone, subject to seasonal closures in three ‘boxes’. Britain also had to accept the Danish insistence that if the Icelanders were offered better terms, the agreement could be revised.³⁵¹ The Danes well remembered the anger in Tórshavn in the mid-1950s when the Icelanders, through confrontation, got more than the Faroese had been given after amicable negotiations. In London the Cabinet was probably

³⁴⁵ RA-DEN: 55.DAN.31/IX, Kampmann statement, 12.9.1958. Also PRO: MAF209/1472, MAFF note, 12.9.1958.

³⁴⁶ PRO: FO371/134741/ND1351/103, Selby to FO, 9.9.1958.

³⁴⁷ RA-DEN: 55.DAN.31/VIII, memorandum, 4.9.1958.

³⁴⁸ RA-DEN: 55.DAN.31/IX, report on talks in London, 12.9.1958.

³⁴⁹ NARA: RG59/759B.00/10-757, Hagemann report, 7.10.1957.

³⁵⁰ The majority of the Faroese population recognised that the islands still relied on economic ties with Denmark. Internally, the Danes would readily admit this. E.g. RA-DEN: 55.DAN.31/VIII, memorandum, 4.9.1958.

³⁵¹ PRO: FO371/134743/ND1351/170, FO minute, 29.10.1958. RA-DEN: 55.DAN.31/X, memorandum, 4.11.1958.

relieved to hear some positive developments on fish and adjudged this demand to be fair.³⁵²

All seemed to be developing satisfactorily. But then the British trawlermen and owners intervened. When they got wind of the supposed compromise, they adamantly refused to accept three 'boxes' outside the six-mile limit. Some suggested that the Royal Navy should instead be instructed to enforce Britain's rights off the Faroe Islands.³⁵³ As before, alliances in this conflict were across boundaries, however. The diplomats in Copenhagen and London were working together for a solution, fending off the 'extremists' in the ports, be they British or Faroese. At a meeting with industry representatives in London, Ambassador Barclay gladly picked up a Danish 'weapon' and warned that intransigence would abet secessionist tendencies among the Faroese. If they broke from Denmark, they might seek aid 'from other, particularly Communist, sources'.³⁵⁴ In the event, the socialists and the separatists made little or no gains in the November elections.³⁵⁵ Although the British industry then forced through an appeal to reduce the size and number of the 'boxes', both Brimelow and Barclay spoke so half-heartedly that the Danes knew well that they would not hurt any feelings by rejecting the pleas.³⁵⁶ In Paris, Sir Frank Roberts also reinforced the inclination not to fight the industry's corner by describing how a successful outcome of the Faroese negotiations could be used to emphasise British open-handedness: 'I know that Spaak himself had been hoping for this, if only to heap coals of fire on the head of Iceland'.³⁵⁷

In February 1959, the trawling industry in Britain, most grudgingly, and the Faroese *Lagting*, with a large majority, accepted the draft agreement.³⁵⁸ On April 27, it took effect. The Danes enforced the limit against all nations, undeterred both by a number of formal protests from other nations,³⁵⁹ and the wish by the Soviet Union, the only state apart from Britain which did significant fishing off the Faroes, to receive special rights within the new line.³⁶⁰ The settlement was a compromise, in the truest

³⁵² PRO: CAB129/95, C(58)210, Hare memorandum, 18.10.1958. CAB128/32, CC(58), 76th meeting, 22.10.1958.

³⁵³ PRO: MAF209/1473, Hutchison to Whitworth, 14.10.1958.

³⁵⁴ PRO: MAF209/1473, MAFF note on meeting 14.10.1958, 5.11.1958.

³⁵⁵ RA-DEN: 55.DAN.31/X, undated note.

³⁵⁶ PRO: FO371/134743/ND1351/171, Barclay to FO, 8.11.1958. RA-DEN: 55.DAN.31/X, Kronmann to Oldenburg, 11.11.1958, and Hare to Kampmann, 5.12.1958.

³⁵⁷ PRO: FO371/134744/ND1351/186, Roberts to FO, 2.12.1958.

³⁵⁸ PRO: MAF209/1474, MAFF note, 13.2.1959. RA-DEN: 55.DAN.31/XII, Elkær-Hansen to Prime Minister's Office, 27.2.1959.

³⁵⁹ RA-DEN: 33.DAN.31/XII, France and Spain Aides-Memoire, 9.3.1959 and 16.3.1959. PAAA: B80/391, West Germany note, 12.8.1959.

³⁶⁰ RA-DEN: 55.DAN.31/XIV, Moscow to Ministry, 17.10.1959. Thorsteinsson, *Hernadarmál*, 106-111.

sense of the word. Yet it can not be seen as the good formula which the Icelanders should have accepted. Britain was willing to meet Danish wishes because they were not as tough as the Icelandic ones. Had there been no 12-mile extension off Iceland in 1958, there would have been no qualified '6+6' agreement off the Faroe Islands in 1959. And the Danes and the Faroese were probably more willing to compromise because they held on to the caveat—the one thing that Copenhagen actually *insisted* on—that should Iceland secure a better deal, the Faroese settlement could be revised. In fact, the Icelanders suspected with some justification that they were simply expected to break the ice with all the hardship it entailed, and then the Danes and the Faroese (as well as the Norwegians for that matter) could smoothly follow. 'Could not Her Majesty's Government begin negotiations with the Icelanders?' Secretary-General Svenningsen had astutely asked in the summer of 1958.³⁶¹

So, one problem had been solved in the North Atlantic. Yet Britain had no reason to celebrate the turn of events. In February 1959, 'Micky' Joy calculated that even if the authorities in Reykjavík would never accept the same terms, they would see what could be achieved if people were willing to 'negotiate in a realistic spirit'.³⁶² But not even that happened. As with the Anglo-Danish agreement of 1955, the new compromise had no effect on the Icelanders. It was simply another 'bacon-deal', said the Socialists and others were as disparaging.³⁶³ Furthermore, the Faroese solution was on lines which had been considered utterly unacceptable only a year before, and other states with an interest in resisting the drive towards wider limits criticised British officials for this prejudicial concession before the second Geneva conference.³⁶⁴ Moreover, the 'triumph' had been achieved against the feeble Faroe Islanders who had been represented by placid Anglophiles in Copenhagen. A satisfactory agreement with the Danes, as Brimelow correctly estimated in the summer of 1958, 'would be easier than with almost anyone else'.³⁶⁵ In short, if this was a victory, what would a defeat look like?

³⁶¹ PRO: FO371/134740/ND1351/62, Selby to FO, 3.7.1958. Also UD: 31.2/8/VI, Ansteensen minute, 11.11.1958.

³⁶² NA-CAN: RG25/8352/10600-Z-40-1.1, London to Ottawa, 12.2.1959.

³⁶³ *Thjóðviljinn*, 11.2.1959. *Tíminn*, 26.2.1959.

³⁶⁴ PAAA: B80/391, Oppler to Bonn, 3.3.1959.

³⁶⁵ PRO: FO371/134738/ND1351/23, Brimelow draft submission, 30.5.1958.

3.8. 'Positive Adaptation'. Icelandic Impasse and Preparations for the Second Conference on the Law of the Sea, 1959-60.

The wider the scope, the weightier the implications. The Faroese agreement was just a footnote in the development of the law of the sea. Conversely, in February 1959, when that settlement was all but secure, the Cabinet underlined that the second Law of the Sea Conference, to be held in early 1960, 'must not fail'. Otherwise a number of 'irresponsible states' would declare territorial waters of 12 miles or more.³⁶⁶ In consequence, Britain would have to show greater flexibility than before, work for Western unity and accept almost any concession to get a solution. Similarly, the British position would be strengthened if the Icelandic dispute could be solved before the conference.³⁶⁷ Iceland's support for a 'Western' compromise would then be secure and Britain could not be accused as easily of 'bullying' the perceived weaklings of this world.

Before the first conference in 1958, Britain had belatedly patched up an unrealistic policy—initial defence of the three-mile rule, followed by the infamous '3+3-3' proposal and finally a grudging support for the American formula of '6+6+historic rights'. This attempt to reach an agreement on the width of territorial waters had failed but in 1960, a fresh bid could be made. Thus, the preparations for the second conference, as well as the proceedings themselves, constitute an excellent 'laboratory' situation for students of foreign policy decision-making, especially the 're-representation of problems'. The problem was unchanged and the scenario similar, so it could be assumed that the experience of failure would lead to an improvement in policy. In other words, 'positive adaptation' might occur where the discrepancy between reality and perception was reduced.³⁶⁸

In early 1959, the most knowledgeable officials in London needed little conversion. They realised perfectly well that if the proponents of narrow limits were to obtain the least damaging solution at the forthcoming conference, they would have to accept larger concessions than they had been willing to contemplate the first time around. Furthermore, as both Brimelow and Legal Adviser Fitzmaurice underlined in

³⁶⁶ PRO: CAB129/99, C(59)177, Kilmuir memorandum, 1.12.1959. Also CAB128/33, CC(59), 4th meeting, 3.2.1959.

³⁶⁷ For an overview of efforts to solve the Icelandic dispute before the second Geneva conference, see Ólafsson, *Saga*, 370-392, and Gudmundur J. Gudmundsson, "Thau eru svo eftirsótt Íslandsmid..." Samningavidræður Íslendinga og Breta í thorskastríðinu 1958-61', *Saga*, Vol. 37, 1999, 68-71.

³⁶⁸ Vertzberger, *World*, 47. Also Hermann, Billings and Litchfield, 'Escalation or modification'.

the Foreign Office, the fishing interests could not be allowed to predominate, for such subservience 'has throughout bedevilled all our policy and prevented any agreement being reached'. According to Fitzmaurice, even the fishery officials admitted that in the very last resort Britain might have to swallow a 12-mile fishing limit at the upcoming conference.³⁶⁹ The Service Departments also agreed that the fight for the three-mile rule was lost,³⁷⁰ and when the administration in Hong Kong protested over the negative consequences of a deviation from that limit, the Colonial Office pointed out that 'our ability to direct these movements is limited'.³⁷¹ Apparently, perception and reality had more or less coalesced in Whitehall.

It was primarily at Cabinet level that 'positive adaptation' was needed. At the beginning of February, Ministers accepted that the proposal of '6+6+historic rights' would never be ratified at Geneva. Still, these rights were 'necessary to the prosperity of our fishing industry', as Selwyn Lloyd told his colleagues, and the Cabinet decided that Britain's next line of defence should involve a different compromise, a '6+6+*limited* historic rights'. States which had traditionally fished in distant waters would retain the freedom to do so up to six miles, but only so that the catches would not exceed present levels.³⁷² The concession resembled the idea of 'abstention' which American officials had contemplated before the first conference, and it was a smaller step than Fitzmaurice and Brimelow would have liked. On the other hand, in the first half of 1959 they knew that a final decision would be premature, and at least the Cabinet was debating the problem a year in advance, not less than a week as had been the case the year before. Now there would be ample time to face the facts.

Moreover, Britain had to co-ordinate tactics and objectives with conventional allies on the international scene, in particular the United States and Canada, two of the main players at Geneva in 1958. In subsequent discussions, the Americans always emphasised that the most important goal was to secure a six-mile territorial sea, and some fishing concessions farther out would then be indispensable. Initially, they did not discount the idea of limited historical rights, keeping in mind that the United States could not go so far to satisfy the coastal states that support from distant-water fishing nations would be lost.³⁷³ The Canadians were tougher, assuring British officials in

³⁶⁹ PRO: FO371/143107/NL1351/87, Fitzmaurice and Brimelow minutes, 20.3.1959.

³⁷⁰ PRO: ADM1/27057, Pritchard minute, 17.12.1958, and West to Pritchard, 22.1.1959.

³⁷¹ PRO: ADM1/27057, Macleod to Officer Administering the Government of Hong Kong, 19.6.1959.

³⁷² PRO: CAB129/96, C(59)15, Lloyd memorandum, 30.1.1959. CAB128/33, CC(59), 4th meeting, 3.2.1959.

³⁷³ NARA: RG399.731/4-2159, Richard memorandum, 21.4.1959, and PRO: ADM1/27057, Pritchard to First Lord, 26.6.1959.

March and April 1959 that only a plain '6+6' could gain the necessary two-thirds majority at the new conference.³⁷⁴ Yet, they also realised that such a proposal would hardly succeed unless Britain and most other Western states decided to back it. During a new round of talks in June, High Commissioner Drew indicated that Canada might be willing to consider the continuation of historical rights in the outer six-mile zone for five years, with a possible, but not guaranteed, prolongation through bilateral treaties.³⁷⁵ Meanwhile, the United States and Canada also conferred and in October they reached a provisional agreement to accept—as a fallback position at the conference—a solution which would be roughly on those lines.³⁷⁶ If, however, developments at Geneva demonstrated that a stipulation on limited fishing rights could prevent an agreement on six-mile territorial waters, the Americans would drop it. 'Defence interests are paramount', Arthur H. Dean reiterated in December 1959.³⁷⁷

At first, Britain indicated that as it stood, the US-Canadian formula was unacceptable.³⁷⁸ Other traditional 'three-milers' disliked it intensely as well, and could only be brought to accept a long phase-out period for historic rights; at least 25 years and with no discriminating catch limitations.³⁷⁹ Conceivably, therefore, the Western powers would be as divided as they had been at the first conference. But lessons had now been learned. In December, and again in January 1960, the Cabinet reluctantly agreed that the freedom to fish between six miles and 12 in perpetuity could not be defended. As Prime Minister Macmillan summed up, Britain might even have to accept the plain '6+6' solution.³⁸⁰ This apparent flexibility indicated that when given time, British statesmen could acknowledge the divide between their perception and reality. The problem had always been the dastardly phenomenon of 'too little, too late', but in early 1960, on the eve of the conference at Geneva, the Cabinet's flexibility seemed to confirm that Britain was no longer going to be left behind.

The Attorney General was the first casualty of the retreat from earlier positions. The proceedings at Geneva in 1958 had demonstrated that the law of the sea was primarily a political matter where legal considerations were not paramount. Neither the industry nor

³⁷⁴ PRO: FO371/141784/GW11/17, Ottawa to CRO, 6.5.1959, and Burns to de Zulueta, 9.5.1959.

³⁷⁵ NA-CAN: RG25/8354/10600-W-40-1, record of British-Canadian talks, 15.-17.6.1959.

³⁷⁶ *FRUS 1958-60 II*, 734-741, Herter to Lloyd, 11.11.1959.

³⁷⁷ NARA: RG59/399.731/12-1159, Richards memorandum, 11.12.1959. Also *FRUS 1958-60 II*, 743-746, Washington to all diplomatic posts, 31.12.1959.

³⁷⁸ NARA: RG59/399.731/11-259, Richards memorandum, 2.11.1959.

³⁷⁹ NARA: RG59/399.731/11-1759, Whitney to Dulles, 17.11.1959.

³⁸⁰ PRO: CAB128/34, CC(60), 1st meeting, 4.1.1960. Also CAB128/33, CC(59), 61st meeting, 3.12.1959, and 62nd meeting, 10.12.1959.

the Foreign Office liked Manningham-Buller's juridical 'lens',³⁸¹ and in December 1959, Macmillan declared that the department which was 'primarily concerned' should assume the leadership at Geneva. Potentially, the decision could have resulted in an even more rigid posture at the conference, for it was John Hare at MAFF who was chosen.³⁸²

Moreover, adaptability in theory was one thing, actual implementation another. In the waters off Iceland, Britain kept defending the right to fish up to four miles. It may be recalled that in early 1959, officials had debated whether to call off the whole operation. However, no pressing need arose (no *crisis*) so the stand-off continued. Later in the year, however, a strong case was again made for a withdrawal. In March 1959, the patrol had been increased from three to four warships as more trawlers went to Iceland in the summer period but from November, only two vessels were needed on constant station. Yet, as the Commander-in-Chief of the Home Fleet complained, 'the continuation of the Icelandic dispute, far beyond the time limits originally foreseen, is now exerting a serious and adverse effect upon the weapon efficiency of the fleet'. Training programmes were dislocated, ships withdrawn from NATO exercises and visits to foreign ports cancelled. In an age when the Admiralty was constantly fighting cuts in expenditure, the plight may have been exaggerated but the conclusion was fair: 'As constituted in peacetime, the fleet cannot permanently withstand this drain on its resources'.³⁸³

Besides, the operation was certainly not lessening the resolve of the Icelanders. In discussions with the American Muccio, Andrew Gilchrist (who was leaving the Reykjavík post) readily conceded the 'inefficacy' of the 'British show of force'.³⁸⁴ As expected, the United States agreed with this estimate and Arthur Dean had earlier stressed that the Icelandic dispute must be 'got out of the way' before the conference.³⁸⁵ The Icelanders themselves also kept up the pressure. In late November, Ólafur Thors (having assumed the Premiership in the Conservative-Social Democratic coalition) assured Gilchrist that if 'really illegal incidents took place, ... Iceland would walk

³⁸¹ B JL: DPW/13/200, Phillips to Wall, 7.5.1959, and B JL: DPW/13/3, Wall to Phillips, 1.3.1960.

³⁸² PRO: CAB21/2763, Macmillan to Kilmuir, 18.12.1959.

³⁸³ PRO: ADM306/38, Commander-in-Chief Home Fleet to Admiralty, 13.7.1959. In an off-the-record chat with a British journalist, Thomas Galbraith, the Civil Lord of the Admiralty, also confirmed that the Admiralty 'has no kind of vested interest, much less enthusiasm, for the operation'. HF: Mangeot to Foss, 17.8.1959.

³⁸⁴ NARA: RG59/740B.022/12-859, Muccio to Dulles, 8.12.1959.

³⁸⁵ PRO: ADM1/27057, Manningham-Buller to Kilmuir, 16.7.1959.

straight out of NATO'.³⁸⁶ Still, his new regime put forward one gesture: fines against British trawlers, accumulated since September 1, 1958, would be suspended if Britain withdrew her warships and respected the 12-mile fishing limit.³⁸⁷

A termination of the 'cod war' on these terms would take the form of a near total British surrender. At a NATO Ministerial meeting on December 17, Lloyd said so to Gudmundsson who replied that he would then have to 'intervene on traditional lines' at the meeting itself.³⁸⁸ This he did, warning that the Icelanders were 'losing faith in NATO' because of the dispute. Lloyd replied by repeating Britain's offer of a six-mile compromise, a non-starter if ever there was one.³⁸⁹ But at least a semblance of negotiations had begun and in Paris, both the Foreign Secretary and Sir Frank Roberts, the Permanent Representative, suggested informally that the Alliance should intervene to 'find some *modus vivendi* which would avoid the danger of incidents'.³⁹⁰ With both British and Icelandic blessing, this took the form of secret mediation efforts by General Secretary Spaak and Halvard Lange of Norway. Spaak, who had been bitten once or even twice by the Icelanders in 1958, doubted whether they would be willing to accept any meaningful compromise, and Lange was mostly responsible for the proposal which they produced on January 22, 1960: in return for a withdrawal of warships and the end to British fishing within the 12-mile limit, Iceland would promise to cancel for good all charges for poaching, and nothing in the agreement could be said to prejudice the views of the two parties at the forthcoming conference.³⁹¹

Although the formula was obviously fashioned out of their own suggestions, the Icelanders managed to be unhappy about it, pointing out that they were being asked to drop fines against trawlers indefinitely, while Britain could send the Navy again to the disputed waters. In talks with Roberts, Spaak and Lange, Andersen also stated, quite frankly, that the Icelandic authorities were not that keen to see the warships leave. The reason was, as Britain's new Ambassador, Charles Stewart, seconded from Reykjavík, they 'might not be too displeased if there should be a small "incident" during or immediately before the ... conference. They would then be able again to pose as the

³⁸⁶ PRO: FO371/143114/NL1351/231, Gilchrist to FO, 1.12.1959. Also NHC: Politico-Military Division, Box 209. Series XXVIII. Iceland. Force Levels – NATO matters, Muccio to SACLANT, 6.12.1959.

³⁸⁷ PRO: FO371/143114/NL1351/230, Gilchrist to FO, 27.11.1959, and FO371/143114/NL1351/231, Gilchrist to FO, 1.12.1959.

³⁸⁸ PRO: FO371/143114/NL1351/240, Roberts to FO, 17.12.1959.

³⁸⁹ NATO: C-R(59)50, IS-0010, NAC meeting, 17.12.1959.

³⁹⁰ PRO: FO371/143114/NL1351/248, Roberts to Lloyd, 23.12.1959.

³⁹¹ ThÍ-SÖ: 1993-2-1, Andersen to Reykjavík, 23.1.1960. PRO: FO371/151669/NL1351/14, Roberts to FO, 23.1.1960.

innocent small nation being bullied by an imperialistic big brother'.³⁹² The British side had more valid reasons to complain and Sir Frank Roberts argued for at least some limited fishing in the outer six miles.³⁹³ Andersen immediately shot down any such hopes, however, by stressing that the 12-mile limit had assumed an 'almost religious importance' in Iceland.³⁹⁴ If there was to be a 'compromise', it would involve a complete British withdrawal.

It was an agonising decision to make. On February 1, Selwyn Lloyd argued that the departure of warships and trawlers would weaken Britain's case at Geneva and the industry would call it 'a betrayal of their interests'.³⁹⁵ On the other hand, the Admiralty would welcome an end to 'Operation Whippet' and as Fitzmaurice wrote to Lloyd the following day, 'the maintenance of naval protection during the conference cannot fail to place us morally under a cloud, and to make it less likely that we shall achieve our aims'.³⁹⁶

In yet another show of novel accommodation, the Cabinet all but faced up to the realities off Iceland. Although Ministers could not bring themselves to accept the Lange-Spaak formula, probably for fear of condemnation on Humberside,³⁹⁷ on February 3 they decided to ask the industry to suspend all fishing within 12 miles off Iceland during the conference, in return for a confidential undertaking from Reykjavík not to interfere with trawlers which 'inadvertently' strayed inside the line.³⁹⁸ Lange and Spaak left the centre of the stage and it was now up to the industry to decide British attitude; in a way much as they had been able to determine Britain's actual policy on the four-mile limit in the early 1950s. The trawlermen and owners were also torn between contrasting choices. Radical representatives, like Dennis Welch from the Grimsby Officers' Guild, wanted no surrender while moderates within the industry, especially among the owners, were persuaded by the argument that a temporary concession off Iceland might yield lasting dividends at Geneva.³⁹⁹ On February 18, the leaders of the BTF told John Hare that for the duration of the conference they would not send their

³⁹² UD: 33.12/39/IV, Stabell minute, 25.1.1960. PRO: FO371/151669/NL1351/20, Stewart to McAlpine, 5.2.1960. Also NA-CAN: RG25/8352/10600-E-40-1.2, Robertson memorandum, 29.1.1960.

³⁹³ PRO: FO371/151669/NL1351/14, Roberts to FO, 28.1.1960.

³⁹⁴ UD: 33.12/39/IV, Stabell minute, 25.1.1960. Also 31.2/8/XI, Gudmundsson to Lange, 27.1.1960.

³⁹⁵ PRO: FO371/151669/NL1351/20, FO minute, 1.2.1960.

³⁹⁶ PRO: FO371/151670/NL1351/25, Fitzmaurice to Lloyd, 2.2.1960.

³⁹⁷ Sir Frank Roberts was said to have told Hans G. Andersen 'that while UK Ministers were favourably disposed, the trawler interest had successfully argued such a solution might appear to grant *de facto* recognition to Icelandic claim to 12 miles'. NA-CAN: RG25/8355/1066-2-40-1.2, Watkins to Ottawa, 15.2.1960.

³⁹⁸ PRO: CAB128/34, CC(60), 5th meeting, 3.2.1960.

³⁹⁹ PRO: FO371/150833/GW12/51, Welch report, 4.2.1960. Also *Yorkshire Post*, 24.2.1960.

vessels at all to the waters off Iceland, arguing that a withdrawal outside 12 miles would indicate a certain recognition of that line. They also knew their skippers well enough to realise that they would always try to sneak inside if the fish was there, thus risking incidents and arrests.⁴⁰⁰ Furthermore, many skippers had grown tired and frustrated of fishing in havens,⁴⁰¹ and if an agreement were reached at Geneva, they would only have missed a part of the lucrative spring season off Iceland.

The Cabinet was pleasantly surprised that the owners did not even need to be pressed hard.⁴⁰² In Paris, Paul-Henri Spaak welcomed the show of goodwill as well and urged the Icelanders to respond in kind by suspending all fines for poaching.⁴⁰³ In the absence of official commitments in London, they did not want to take that step, politically inflammable as it would always have been. Secretly, however, Bjarni Benediktsson, Minister of Justice and hence responsible for the coast guard service, instructed his captains to 'avoid incidents'.⁴⁰⁴ At midnight on March 14, three days before the opening of the conference, British warships and trawlers left the Icelandic grounds. At last, Britain had showed a great degree of accommodation and foresight—but would it be enough?

⁴⁰⁰ PRO: CAB129/100, C(60)32, Hare memorandum, 19.2.1960.

⁴⁰¹ E.g. Kristjánsson, *Á stjórnpallinum*, 323-324, and Kjærnested interview, 24.3.1999.

⁴⁰² PRO: CAB128/34, CC(60), 11th meeting, 22.2.1960, and 12th meeting, 23.2.1960.

⁴⁰³ ThÍ-SÖ: 1993-3-2, Paris to Reykjavík, 27.2.1960.

⁴⁰⁴ PRO: FO371/151669/NL1351/45, Stewart to Mason, 3.3.1960.

3.9. 'Outside Any General Rule of Law'. Britain, Iceland and the Geneva Conference, 1960

The second conference on the law of the sea was a simpler affair than the first one in 1958. The number of delegations had risen to 88 but this time the international community 'only' needed to agree on the width of national jurisdiction, whereas the previous meeting had debated other complex issues like baselines, the continental shelf and rights of passage in international straits. The comparative simplicity showed in both the duration and organisation of the 1960 conference. It began on March 17 and lasted six weeks (three shorter than in 1958) and it worked in one committee (compared to five the first time) which was then followed by a plenary session.⁴⁰⁵ During the debates, it also became clear that the balance of power had changed and at the final session in late April, only a single vote decided between success and failure at Geneva; or between 'chaos' and order in the law of the sea.

The '12-milers' were still formidable, and determined to hold their ground. The Soviet Union put forward a proposal on 12 miles as the permissible limit for both territorial waters and fishing limits. Mexico and a group of Afro-Asian states tabled a similar motion and in mid-April, just before voting at the committee stage, the Soviets announced that they had decided to withdraw their motion. Instead, they would endorse the other submission which had gathered more supporters and was known as the '18-power proposal'.⁴⁰⁶ The West faced a 'well-organised, well-disciplined voting bloc', as the American Dean had predicted at the beginning of the proceedings.⁴⁰⁷ But unlike the first conference, when the traditional defenders of narrow territorial waters had been divided and badly organised, in 1960 they quickly joined forces. The earlier experience was so clear that 'positive adaptation'—the convergence of perception and reality—was almost inevitable.

First of all, the three-mile rule was hardly mentioned. Even the deeply conservative Chiefs of Staff in London concluded that while such a narrow limit would best serve Britain's strategic interests, six miles were acceptable 'in view of the political

⁴⁰⁵ For an overview of the conference, see Arthur H. Dean, 'The Second Geneva Conference on the Law of the Sea: The Fight for Freedom of the Seas', *AJIL*, Vol. 54, No. 4, 1960, 751-789, and D.W. Bowett, 'The Second United Nations Conference on the Law of the Sea', *International and Comparative Law Quarterly*, Vol. 9, Pt. 3, 1960, 415-435.

⁴⁰⁶ Bowett, 'Second United Nations Conference', 421-423.

⁴⁰⁷ NARA: RG59/399.731/3-1960, Dean to Herter, 19.3.1960. Also Nadeson, 'Analysis', 58-67.

difficulties involved'.⁴⁰⁸ Furthermore, on March 15, two days before the opening round at Geneva, the Cabinet accepted John Hare's estimation that an indefinite retention of historic rights inside 12 miles was impossible. A phase-out period of about ten years could be achievable but in order to prevent 'a complete breakdown of the conference', Britain might have to vote for an immediate abandonment of all fishing within a 12-mile limit.⁴⁰⁹ The Canadians also showed signs of reconciliation. Although they entered the conference with their old '6+6' proposal, they indicated behind the scenes that they might be prepared to consider a phase-out period in the outer zone; a compromise which the Norwegians also favoured.⁴¹⁰ Once at Geneva, moreover, High Commissioner Drew found that relations with Hare and the British delegation were 'close and extremely cordial'; a positive change from the spats with Manningham-Buller in 1958.⁴¹¹

Even so, the 'big three' in the Western camp—the United States, Britain and Canada—began the conference in apparent disagreement. Arthur H. Dean suggested the '6+6' solution with historic rights, but restricted to current catches. George Drew described that as a 'typical imperialistic proposal' and John Hare was openly 'shocked' by the Canadian attitude.⁴¹² Having said that, all of them were primarily paying lip service to demanding interests, about to be abandoned. Drew learned that Hare's remarks were essentially for domestic consumption, and that the American opener was 'more or less ... a concession to certain distant water fishing states and to their own fishing industry'.⁴¹³ The window dressing had been damaging in 1958 but this time it was more superficial and did not last as long. Again, a lesson had been learned the first time around. At Geneva rumours soon abounded that Britain, Canada and the United

⁴⁰⁸ PRO: DEFE4/125, COS(60), 14th meeting, 25.2.1960. Also DEFE5/99, COS(60)36, First Sea Lord memorandum, 11.2.1960. For a summary of the American naval view, see Capt. Robert D. Powers, Jr. and Capt. Leonard R. Hardy, 'How Wide the Territorial Sea?', *United States Naval Institute Proceedings*, Vol. 87, No. 2, 1961, 68-77.

⁴⁰⁹ PRO: CAB128/34, CC(60), 17th meeting, 15.3.1960. Also FO371/150837/GW12/104, Simpson minute, 14.3.1960. This was in line with American thinking. For their insistence on the need to offer fishing concessions to secure a six-mile limit for territorial waters, see NATO: C-R(60)8, IS-0012, NAC meeting, 9.3.1960, and *FRUS 1958-60 II*, 757-759, State Department paper, 14.3.1960.

⁴¹⁰ NARA: RG59/399.731/3-1660, Williamson memorandum, 16.3.1960. Also RA-NOR: Cabinet minutes, 25.2.1960, and SA: UUKK and maritime and fisheries committee, 1.3.1960. For an overview of Norway's position before and at the second conference, see Søndena, 'Bakgrunnen', 105-126, and Carl August Fleischer, 'Norway's Policy on Fisheries, 1958-1964', in *Developments in the Law of the Sea 1958-1964* (London: The British Institute of International and Comparative Law, 1965), 94-96.

⁴¹¹ NA-CAN: RG25/8353/10600-F-40.1.2, Geneva delegation to Ottawa, date given in error as 15.3.1960. Despatch from end of March or first days in April.

⁴¹² For the American proposal, see Dean, 'Second Geneva Conference', 774. For Drew, see NARA: RG59/399.731/3-1960, Geneva delegation to Herter, 19.3.1960, and for Hare, see *New York Times*, 29.3.1960.

⁴¹³ NA-CAN: RG25/8354/10600-W-40-1.2, Hardy memorandum, 30.3.1960, and RG25/8353/10600-F-40-1.2, Geneva delegation to Ottawa, date given in error as 15.3.1960. Despatch from end of March or first days in April.

States would ultimately propose a '6+6' agreement with historic rights which would expire after a certain time.⁴¹⁴

On April 8, the pretence was over and the campaigning began in earnest. The United States and Canada tabled a joint proposal of '6+6' with a phase-out period of ten years for distant-water fishing in the outer zone. Britain was not a cosponsor and, ostensibly, her support was not secure. For a while, John Hare and the fishery officials in London appeared willing to examine the prospects of a nine-mile proposal for both fishing and territorial waters which, in the long run and in spite of the strategic drawbacks, would arguably serve the trawling industry better than the US-Canadian compromise.⁴¹⁵ The Admiralty, however, would never have accepted that argument—the contention that 'war is less important than fish', as one of its officials put it.⁴¹⁶ Besides, '6+6+phase-out' was the reality which had to be faced. On April 11, Hare announced that even if the transitory period was much too short, the British delegation would vote for the new US-Canadian proposal. 'Britain is preparing to accept great hardship to serve so good a cause', opined the *Daily Telegraph*.⁴¹⁷

Thus, one 'extremist' from 1958 had moved to the middle ground, but what about the Icelanders, habitually at the other extreme end of the spectrum? On the eve of the conference, they were as insistent on their interests as they had ever been. They would never accept an indefinite retention of historic fishing inside the 12-mile limit, and they aimed to have Iceland's extraordinary reliance on the riches of the seas acknowledged.⁴¹⁸ Unsurprisingly, the Icelandic delegation was therefore displeased with the initial position of the United States, not to mention Britain. Although both Dean and Hare claimed to be 'very sympathetic' to Iceland's unique situation, they did not appear willing to codify any 'special rights' measures.⁴¹⁹ Undeterred, on March 31 the Icelanders introduced a proposal on preferential treatment for coastal states which were overwhelmingly dependent on fisheries.⁴²⁰ Moreover, they insisted that they would vote for what was then the Soviet proposal on 12-mile territorial waters and fishing limits. When C. Cadieux of the Canadian delegation pleaded against that decision, Hans G. Andersen, Iceland's chief official at Geneva, mentioned the importance of domestic

⁴¹⁴ *Morgunbladid*, 2.4.1960, and *Financial Times*, 7.4.1960.

⁴¹⁵ PRO: FO371/150821/GW11/67, Geneva delegation to FO, 7.4.1960, and Hare to Lloyd, 9.4.1960.

⁴¹⁶ PRO: ADM1/27687, Abercrombie minute, 14.4.1960. Also DEFE4/126, COS(60), 25th meeting, 12.4.1960.

⁴¹⁷ *Daily Telegraph*, 11.4.1960, and Bowett, 'Second United Nations Conference', 426.

⁴¹⁸ GÍG-III: Andersen to Björnsson, 3.11.1959, and Thorsteinsson, *Utanríkishjónusta* II, 622-623.

⁴¹⁹ Ólafsson, *Saga*, 401-402, and SSÍ-DÓP Ólafsson minute, 8.4.1960.

⁴²⁰ See Bowett, 'Second United Nations Conference', 427.

politics. 'They would have their heads chopped off at home if they didn't', he said about the leaders of the Icelandic all-party delegation, Foreign Minister Gudmundsson and Benediktsson, the Minister of Justice. 'It was quite clear to me', said Cadieux, 'that Andersen agreed fully with our position but that he is overborne by the Ministers who in turn have pressure for radical action on them'.⁴²¹ Back in Iceland, the conference was closely followed and sparks flew between the governing parties and the opposition. The Conservatives were 'more Yankees than Icelanders', said the Socialists,⁴²² and a rejection of a 12-mile proposal, simply because it was favoured by the Soviet Union and not by the West, was inconceivable. Any port in a storm was still the Icelandic creed.

In the committee vote on April 13, the Icelanders voted for the Soviet-supported '18-power proposal'. Yet it narrowly failed to get the required simple majority. It was too restrictive for the most radical Latin Americans and the US-Canadian proposal was appealing enough for many moderate states. That submission was safely adopted, with 43 votes to 33 and 12 abstentions. On this showing, however, it would not receive the two-thirds support which would be needed in the plenary session. Furthermore, Iceland's own motion was also accepted, by 31 votes to 11 with 36 abstentions.⁴²³ The Icelanders, while confident to achieve the required simple majority, were pleasantly surprised by the support which showed a growing recognition of their utter dependence on fisheries. They also benefited from a sympathy for the 'underdog' in the dispute with Britain.⁴²⁴ Therefore, the vote showed, on the one hand, that the Western 'bloc' had to work harder to get the necessary support for its proposal, and on the other that the Icelanders had to be induced to come on board because if they were unhappy, they could do a lot of damage by haranguing about the 'colonial' and 'imperialistic' encroachment in their waters. In short, success at Geneva could hinge on an end to the 'cod war' off Iceland. 'Dean and I have continued to impress the vital importance of agreement [with Reykjavík] upon Hare', Drew cabled to Ottawa.⁴²⁵

An ignorance of Icelandic wishes could also have consequences beyond the law of the sea. After all, Icelanders of every political persuasion had described the American campaign for historic fishing rights at the first conference as a 'stab in the back'. On April 7, before the committee voting at Geneva, Tyler Thompson, the new American

⁴²¹ NA-CAN: RG25/8352/10600-E-40-1.2, Cadieux memorandum, 29.3.1960.

⁴²² *Thjóðviljinn*, 5.4.1960.

⁴²³ Bowett, 'Second United Nations Conference', 427-428.

⁴²⁴ Davíð Ólafsson, 'Á hafréttarráðstefnu 1960', in Ólafur Egilsson (ed.), *Bjarni Benediktsson í augum samtíðarmanna* (Reykjavík: Almenna bókafélagid, 1983), 160-161.

⁴²⁵ NA-CAN: RG25/8355/10600-Z-40-1.2, Geneva delegation to Ottawa, 12.4.1960.

Ambassador in Reykjavík, reported that such anger was now simmering in the country.⁴²⁶ At Geneva, Dean readily accepted the political implications and he also saw intrinsic merits in the Icelandic 'special rights' proposal: Iceland *was* truly dependent on fisheries and the American delegation had openly argued that the conference had to consider such exceptions to the general rule. However, the fishermen of New England and the Pacific Coast were already angry over the retreat to a phase-out period of fishing rights, and Britain and other distant-water fishing states were deeply unhappy with the possible effects of the Icelandic proposal, not only off Iceland but as a general rule.⁴²⁷ There were limits to the 'positive adaptation'. While Joe Cobley, Vice-President of the BTF and observer at Geneva, had agreed with John Hare that the US-Canadian proposal had to be supported, he incurred the immediate wrath of Dennis Welch and like-minded 'militants' on Humberside.⁴²⁸ In London, the Labour opposition also complained that the government 'should have made more of a fight on phasing issue',⁴²⁹ and Harold Macmillan was to stress that the British delegation must under no circumstances support concessions beyond the US-Canadian resolution without prior reference to Cabinet.⁴³⁰

Clearly, the Icelanders could only be offered an *ad hoc* settlement which did not impinge on the general rule of '6+6' and phase-out historic rights. Before the committee vote on April 13, the Danes had managed to 'sell' their support for the US-Canadian compromise by securing a confidential assurance from Britain that she would only insist on the maintenance of fishing for five years in the 6-12-mile zone off the Faroe Islands.⁴³¹ Here was a useful precedent but—predictably enough—the Danes insisted that they could not accept an arrangement which left the Faroese worse off than the Icelanders, since such an outcome would result in Denmark 'losing the Faroes'.⁴³² Thus, when the British side went on to seek a special agreement on these lines with Iceland's representatives at Geneva, they realised that, as one official put it, 'the Icelandic decision is the master-one'.⁴³³

⁴²⁶ NARA: RG59/399.631/4-760, Thompson to Herter, 8.4.1960.

⁴²⁷ *FRUS 1958-1960* II, 793-795, Pelly and Magnusson to Herter, 19.4.1960, and Geneva delegation to Washington, 19.4.1960. Also PRO: FO371/150821/GW11/67, FO to Brussels, 8.4.1960.

⁴²⁸ HCA: DBTH20/101, Cobley report, 9.4.1960, and Welch to Henderson, 8.4.1960. Also PRO: FO371/150822/GW11/83, Geneva delegation to FO, 7.4.1960.

⁴²⁹ NARA: RG59/399.731/4-1160, Whitney to Herter, 11.4.1960.

⁴³⁰ PRO: FO371/150824/GW11/113, Phelps to Samuel, 22.4.1960.

⁴³¹ PRO: FO371/150821/GW11/67, Barclay to FO, 9.4.1960, and 12.4.1960. Also UD: 31.2/8/XIV, Geneva delegation to Oslo, 12.4.1960.

⁴³² PRO: FO371/150823/GW11/100, Selby to FO, 19.4.1960. Also MAF209/1665, Kampmann to Hare, 20.4.1960.

⁴³³ PRO: FO371/151669/NL1351/56, FO minute, 21.4.1960.

Before the conference, even the headstrong Jósepsson (who represented the People's Alliance in the Icelandic delegation) had privately conceded that a proposal on continued historic rights might be accepted if it included severe limitations on their scope and duration.⁴³⁴ In early April, the Canadian Drew also learned from Hare at Geneva 'that the UK are likely, if necessary, to withdraw altogether from the 12-mile zone around Iceland'.⁴³⁵ That, of course, was in line with the British presumption before the conference that a general concession of this kind might be inevitable, 'in the last resort', and after the committee voting in mid-April, Andersen advised Dean and Drew that that moment had arrived; if Britain gave a 'private' assurance on a withdrawal beyond 12 miles, the Icelanders would support the US-Canadian compromise in the plenary session.⁴³⁶ Still, Britain understandably wanted to seek a less painful solution before accepting such a complete capitulation in Icelandic waters which could then lead to similar retreats elsewhere. During and after Easter in mid-April, British officials conferred with Andersen and Fisheries Director Davíð Ólafsson who was also at Geneva. After a series of meetings, they produced a 'draft agreement' which permitted trawling to all nations in certain areas within the outer six miles for an unspecified period (Britain's opening bid was seven years). In return, Iceland would get some restrictions on foreign fishing in restricted areas outside the 12-mile limit.⁴³⁷ Joe Cobley of the BTF was consulted throughout, and Sir Gerald Fitzmaurice appeared 'not unhopeful that this new basis for negotiations with Iceland would prove successful'.⁴³⁸

However, British officials had learnt through bitter experience that opinions of Andersen and other Icelandic officials counted for little on their own. Ministers would have the final say. Initially, they did not discount the emerging solution and as Bjarni Benediktsson supposedly tried to impress on Lúdvík Jósepsson, 'we Icelanders must ... somehow negotiate with the British because this situation back home cannot continue'.⁴³⁹ But despite the tentative show of compromise before the conference, the Socialist 'fighter' rejected all ideas about concessions within the 12 miles, as did the Progressive leader Hermann Jónasson, also at Geneva. In public, therefore, the Conservatives and the Social Democrats felt that they could not but reiterate that the Icelandic delegation would fight all ideas about a retreat from the 12-mile limit.⁴⁴⁰ This

⁴³⁴ GÍG-III, preparatory committee for the law of the sea conference, 7th meeting, 18.2.1960.

⁴³⁵ NA-CAN: RG25/8355/10600-Z-40-1.2, Geneva delegation to Ottawa, 9.4.1960.

⁴³⁶ NA-CAN: RG25/8354/10600-W-40-2, Geneva delegation to Ottawa, 14.4.1960. Also BA-BML: B116/13189, Ólafsson to Meseck, 15.4.1960.

⁴³⁷ PRO: MAF209/1858, MAFF minute, 17.8.1960.

⁴³⁸ NA-CAN: RG25/8354/10600-W-40-2, Geneva delegation to Ottawa, 14.4.1960.

⁴³⁹ Jósepsson, *Landhelgismálid*, 144. Also PRO: MAF209/1665, Hutchison to Aglen, 16.5.1960.

⁴⁴⁰ *Althýdubladid*, 12.4.1960. Also *Vísir*, 22.4.1960.

argument was reinforced after Benediktsson and Gudmundsson met with Prime Minister Thors who had flown to London for discussions with them. On their return to the conference, the two Ministers told Hare that they now ‘feel it to be politically impossible to make any agreement on the lines proposed’.⁴⁴¹ The government had just initiated vital but hurtful economic reforms and did not want to create more resentment in the country by appearing to back too far away from an undiluted 12-mile limit, so sacred in Icelandic minds.⁴⁴² Yet again, domestic considerations prevented an international negotiation.

Instead, the Icelandic delegation put forward an amendment to the US-Canadian proposal; a proviso that the ten-year phase-out period ‘shall not apply to the situation where a people is overwhelmingly dependent on its coastal fisheries for its livelihood or economic development’.⁴⁴³ The rider resembled Iceland’s own submission on ‘special rights’ and was doomed to fail. The United States, Britain and Canada, the main movers behind the Western effort at Geneva, were prepared to accept an *ad hoc* solution to the almost unique situation of Iceland, but not a sweeping modification of the general rule.⁴⁴⁴ A weaker worded supplement on preferential fishing rights for coastal states under scientifically proven conditions, which Brazil, Cuba and Uruguay proposed and the Western powers reluctantly accepted, did not appease the Icelanders.⁴⁴⁵ Even the Canadians, usually so sympathetic to their case, were deeply disappointed. ‘[T]hey have been unwilling to negotiate with the UK’, Drew commented on April 23, when the crucial final vote was only days away, ‘and have stood entirely on the ground that they must be considered outside any general rule of law and be granted 100% recognition of the claims which they unilaterally made’.⁴⁴⁶

To sum up, Britain was not to blame for the failure to reach an agreement with the Icelanders at Geneva. British decision-makers had been accommodating, liberal-minded and attentive to the principles of compromise and interdependence in international relations. The problem was, as the *Daily Mail* lambasted at one stage, that ‘Iceland has not moved by a cable’s length from her original demands’.⁴⁴⁷ But had the British not been prepared to surrender completely off Iceland, ‘if necessary’? They

⁴⁴¹ PRO: FO371/150825/GW11/121, Geneva delegation to FO, 23.4.1960.

⁴⁴² On the economic reforms in 1960, see Bjarni Bragi Jónsson, ‘Hafta- og styrkjakerfi á Íslandi’, in Jónas H. Haralz (ed.), *Frá kreppu til vðreisnar* (Reykjavík: Hid íslenska bókmenntafélag, 2002), 209-215. Also Johannessen, *Ólafur Thors II*, 306-309.

⁴⁴³ Bowett, ‘Second United Nations Conference’, 429.

⁴⁴⁴ NARA: RG59/399.731/4-2060, Dillon to Dean, 22.4.1960.

⁴⁴⁵ For an Icelandic critique of the proposal, see Ólafsson, *Saga*, 415.

⁴⁴⁶ NA-CAN: RG25/8353/10600-F-40-1.2, Geneva delegation to Ottawa, 23.4.1960.

⁴⁴⁷ *Daily Mail*, 12.4.1960 (leading article).

never offered the ultimate concession of an immediate abandonment of all fishing inside Iceland's 12-mile limit, partly because of the knock-on consequences, but also because in the last days of the conference, the proponents of the US-Canadian proposal had become cautiously optimistic that they could achieve a two-thirds majority, regardless of Iceland's non-compliance.⁴⁴⁸ From the beginning of the plenary session, the United States led a campaign of 'intensive lobbying', both at Geneva and through diplomatic missions all over the world.⁴⁴⁹ The British side also lent their support.⁴⁵⁰ On April 26, the day of the final vote, tension was great at Geneva but the American delegation felt that a fairly safe margin of security had been reached. 'We had it all agreed to', Dean later recalled, 'we had five or six votes to spare'.⁴⁵¹

As expected, the Icelandic proposals were rejected, both the original submission from the committee stage and the amendment to the US-Canadian compromise. At this stage, and especially after all the lobbying, far fewer states were willing to sympathise with the Icelandic cause. The decisive moment, however, was to follow. In a hair-raising roll call, 54 voted in favour of the US-Canadian proposal, 28 were against and five abstained. Thus, the motion had failed by one vote!⁴⁵² Reportedly, one member of the American team 'choked up and was nearly in tears'.⁴⁵³ 'Back to chaos', was on the lips of many other delegates at Geneva.⁴⁵⁴

What had happened? Arthur H. Dean blamed 'our Russian friends' but such Cold War inference was mostly as misguided as it had been in 1958; among the last minute 'defectors' were Ecuador, Chile, Japan and the Philippines, not exactly Soviet satellites.⁴⁵⁵ Rather it was alleged that the aggressive pressure had backfired on the Americans. They had acted like 'a bull in a china shop', said one of the British delegates.⁴⁵⁶ In the event, Iceland's vote could also have tilted the balance, as Dean

⁴⁴⁸ NARA: RG59/399.731/4-2260, Geneva delegation to Washington, 22.4.1960. Also *Manchester Guardian*, 23.4.1960, and *Visir*, 25.4.1960.

⁴⁴⁹ *Times*, 14.4.1960. Also the numerous telegrams to various diplomatic posts from April 13-26. NARA: RG59/399.731, followed by date.

⁴⁵⁰ PRO: FO371/150824/GW11/107, FO to 12 diplomatic missions, 15.-19.4.1960, and FO371/150824/GW11/110, FO to 11 diplomatic missions, 19.-20.4.1960.

⁴⁵¹ JFDOHP: Dean interview, 88-89.

⁴⁵² Bowett, 'Second United Nations Conference', 432.

⁴⁵³ *Seattle Times*, 27.4.1960.

⁴⁵⁴ *Times*, 27.4.1960.

⁴⁵⁵ JFDOHP: Dean interview, 89, and NARA: RG59/399.731/4-2860, Geneva delegation to Washington, 28.4.1960. It must be added, though, that in that report, Dean said it was '[i]mpossible to describe third degree methods, threats of personal violence, threats of ostracism on returning to their own country and other methods Saudi Arabia, USSR, UAR [United Arab Republic] and other Arab League members used in effort not to get them vote "yes"'. Also Nadeson, 'Analysis', 71-73.

⁴⁵⁶ Ólafsson, *Saga*, 431. Also BA-BML: B116/13189, Meseck report, 28.4.1960, and PRO: FO371/150826/GW11/140, Ashford-Russell report, 2.5.1960.

ruefully remarked after the voting: 'Constantly pressed UK for Icelandic solution and if this had occurred before conference would have had Icelandic vote and would have avoided conference sympathy for small nation's problems'.⁴⁵⁷ And it must be pointed out that had the US-Canadian proposal been aired in 1958, it would probably have sailed through. 'Too little, too late' was not only a British malady.⁴⁵⁸ At Geneva in 1960, the leaders of the Soviet and 'Afro-Asian' blocs told Dean that the United States would be 'begging on knees for 12-mile territorial sea within three years'. In the main, they were right.⁴⁵⁹

The incredibly close result at the second conference begged the question what would have happened if one vote had gone the other way.⁴⁶⁰ Bjarni Benediktsson had affirmed, if informally, that the Icelandic government would respect any decision which received the required majority.⁴⁶¹ Iceland would therefore have been bound by a '6+6' limit with a phase-out period for foreign fishing. Yet that would not have been so bad for the country. 'It is said that the Icelandic delegation ... were regretting their vote and beginning to realise what they have lost', Fitzmaurice reported from Geneva.⁴⁶² After all, Britain had been willing to offer Iceland that historic rights would only apply for five years, at most, and the Brazilian/Cuban/Uruguayan amendment on special situations would also have helped the Icelandic authorities. But in a sense, the Icelanders had ensured that they would benefit from whatever result at the conference; favourable exceptions if the general rule was accepted but a free hand in case it all foundered.

For Britain, however, the failure at Geneva was devastating. The application of an idealistic policy of concessions and compromises had failed to safeguard Britain's perceived interests on the high seas. And what could follow? John Hare immediately declared that, in effect, nothing had changed; that '[w]e shall retain exactly the same

⁴⁵⁷ NARA: RG59/399.731/4-2860, Geneva delegation to Washington, 28.4.1960. More than a decade later, this explanation for the defeat of the American proposal in 1960 was uppermost in Dean's mind. CUL: 4100, Box 84, Dean to Bundy, 19.10.1972.

⁴⁵⁸ For such a wise-after-the-event observation, see also Rowsome, 'The UN Conference of 1960', 75-76.

⁴⁵⁹ NARA: RG59/399.731/3-1760, Geneva delegation to Washington, 17.3.1960. In 1967, the United States and the Soviet Union began to work together for a universal agreement on a 12-mile limit of territorial waters and fishing limits. See Swarztrauber, *Three-Mile Limit*, 244-248.

⁴⁶⁰ The result was of course a prime case of the importance of 'chance' in history. The voting of Guinea is a good case in point. Abdourahmane Diallo, the country's sole delegate, was, according to Dean, 'an elderly quiet man who took little active part in conference ... he told us just before voting it was "historic rights" which he objected to, but hinted that he might at least abstain on US-Canadian joint proposal. His vote, however, was negative; an abstention would have saved us. Later claimed he was confused'.

NARA: RG59/399.731/4-2860, Geneva delegation to Washington, 28.4.1960.

⁴⁶¹ PRO: FO371/151669/NL1351/43, Stewart to Mason, 2.3.1960.

⁴⁶² PRO: FO371/150825/GW11/128, Geneva delegation to FO, 28.4.1960. A British journalist at Geneva, with good connections with the Icelandic delegation, got the same impression.

FO371/151674/NL1351/77, Mason to Stewart, 20.6.1960.

view about the law of the sea as we've entertained up to now'.⁴⁶³ This was brave talk but behind the scenes—in a self-contradiction which summarised how difficult it was for decision-makers in London to accept the new correlation of power in the post-war period—Hare was more realistic. A return to *Realpolitik* appeared inconceivable and he chided 'those with legalistic rather than practical minds' who spoke as if three or four miles were again the rule of the day. 'How do you enforce that measure?' he asked. 'Certainly nobody is going to do it with gunboats again'.⁴⁶⁴ The fight against wider limits was over. Only the terms of defeat had to be determined.

⁴⁶³ PRO: MAF209/1854, record of interview, 26.4.1960. This was also the strategic view. See DEFES/102, COS(60)125, COS report, 3.5.1960.

⁴⁶⁴ NA-CAN: RG25/5388/10600-W-40-2, Geneva delegation to Ottawa, 21.6.1960.

IV. *Pax Nordica*. Surrender on the High Seas, 1960-1964

4.1. *An Agreement with Wise and Reliable Friends. The 12-Mile Extension off Norway, 1960-61*

The looming sea change could be detected right after the finale at Geneva. In the corridors of the conference hall, delegates were not so concerned with developments in Iceland. The Icelanders were expected simply to hold their ground. Rumour had it, however, that the Norwegians would now act, convinced that since the international effort had failed, unilateral action was inevitable.¹ An extension off Norway could signal the end of Britain's fight against the encroachments on the high seas in the North Atlantic, for if she acquiesced, how could she continue to resist Iceland's claims, or similar wishes on the Faroe Islands? On the other hand, a few considerations could ease British uneasiness over the unfriendly, if understandable, act in Oslo. The Norwegians were good 'Atlanticists' and 'Europeans' who made bad unilateralists.

The first factor in Britain's favour was linked to European integration: the monumental change on the international landscape which British decision-makers had first tried to ignore and then mould to their own liking. In 1957, Britain began to work for a Free Trade Area of all states in the OEEC, including the six continental countries which had formed the European Economic Community (EEC). But 'the Six' in the EEC were not enthusiastic and in November 1958, Charles de Gaulle's objections killed off the concept.² The authorities in London had to focus on a weaker alternative, an agreement on free trade within 'the outer Seven' (Austria, Britain, Denmark, Norway Portugal, Sweden, and Switzerland). In the summer and autumn of 1959, detailed negotiations took place and on January 4, 1960, the European Free Trade Association (EFTA) was formally founded.³

At the end of the 1950s, Britain was still Norway's largest single trading partner and it seemed that wherever in Europe the rulers in London ended, their counterparts in

¹ *Vísir*, 29.4.1960. For an overview of the Norwegian extension to 12 miles, see Søndena, 'Bakgrunnen', 132-145, Fløistad, 'Hovedlinjene', 83-88, Rollag, 'A Special Relationship?', 66-73, and Eriksen and Pharo, *Kald krig*, 359-366.

² See Ellison, *Threatening Europe*.

³ See David Phinnemore, 'The Nordic countries, the European Community (EC) and the European Free Trade Association (EFTA), 1958-84', in Lee Miles (ed.), *The European Union and the Nordic Countries* (London: Routledge, 1996), 32-46.

Oslo would have to follow.⁴ Fishery concerns made that hand-in-hand journey uncomfortable, however. While the proposed Free Trade Area of the outer Seven was not to encompass foodstuffs, the Norwegians wanted to have fish products included. In Britain, the fishing industry was adamantly opposed to a concession of that kind, in much the same sense as the NFU and the protectors of Commonwealth connections stood against the liberalisation of agricultural trade. As Harold Macmillan agonised in the summer of 1959, when the Danes had hammered through a ‘bacon’ compromise, ‘[w]e seem to have settled the Danish question with *pigs*—at what political cost to ourselves I cannot tell. We have now a Norwegian problem on *fish*. I doubt if we can risk this as well’.⁵ Gradually, the authorities in Oslo realised that fresh fish could not come under the free trade criteria but they held on to frozen fillets, using the debatable argument that they were ‘industrial products’, and acting as if they might be prepared to stay outside the emerging agreement unless they had their way.⁶ Ultimately, Britain gave in. ‘The government have been so mad keen about this thing’, complained Sir Farndale Phillips of the BTF near the end of 1959, that ‘they are prepared to let one or more industries take a knock’.⁷

Still, only a single ‘knock’ would be tolerated. The British team in the free trade negotiations warned that the ‘question of fishing limits’ would have to be tied to the question of fish imports.⁸ Initially, the Norwegians refused to consider such linkage, but in the end they felt that they could not take their brinkmanship to the extreme limit. In return for a toll-free access for 24,000 tons of frozen fish from the three Scandinavian countries (which more than satisfied Norwegian needs) Britain acquired the stipulation that this arrangement could be revised if a ‘fundamental change’ in fishing limits occurred.⁹

Such, in short, was the situation in April 1960, when the law of the sea conference finished in failure. On May 2, Foreign Minister Lange told Selwyn Lloyd that the Norwegian government would ‘inevitably’ be expected to extend the fishing limit to 12

⁴ For the most detailed examination on Norway’s accession to EFTA, see Svein Olav Hansen, ‘Det norske EFTA-sporet i 1950-åra. En studie av Norges Europa-politikk, med særlig vekt på perioden 1956-1960’, (BA thesis, University of Oslo 1990). For a summary, see Eriksen and Pharo, *Kald krig*, 312-318.

⁵ BOD: MSS. Macmillan, diary, 15.7.1959.

⁶ ‘[T]hese frozen fillets very nearly jeopardised the conclusion of the EFTA convention’, a Treasury official later recalled. PRO: T312/35, Owen minute, 12.9.1960. For the Norwegian negotiating position and internal doubts about it, see SA: UUKK, 7.9.1959, and 15.10.1959. Also Hansen, ‘Det norske EFTA-sporet’, 273-292.

⁷ *Times*, 4.12.1959.

⁸ UD: 44.33/13/IV, Ibsen minute, 10.9.1959, and 44.33/13/V, London Embassy to Oslo, 29.10.1959.

⁹ Eriksen and Pharo, *Kald krig*, 316.

miles.¹⁰ On May 13, he announced in the *Storting* that Norway had decided to act. A precise date was not set and Lange specifically mentioned the need to hold talks with interested parties, first and foremost Britain.¹¹ This was not really ‘unilateral action’ *à la* Iceland, much more an invitation to enter honest negotiations.

Consequently, British officials were not that disappointed over the Norwegian declaration. They also felt that in any case they were in a fairly good bargaining position, or as Bredo Stabell, the leader of Norway’s delegation at Geneva, told American diplomats in Oslo, ‘the UK had a negotiating lever because of the frozen fish problem’.¹² On the other hand, Britain could also see a number of advantages in a swift, friendly settlement. Right after the debacle at Geneva, British and Canadian delegates had suggested that the 54 supporters of the US-Canadian proposal should sign a convention on its lines, in the hope that it would gradually assume the character of, or at least influence, international law.¹³ Successful bilateral talks with a friendly state like Norway might perhaps produce a blueprint for such a convention of the willing.¹⁴ The precedence could even be useful in an attempt to break the deadlock off Iceland. Admittedly, the wishful thinking of recent years about a Faroese agreement swaying the Icelanders was gone. Rather the hope was that the existence of a British agreement with another Nordic country would help the Icelandic government to fight the no-surrender line of the opposition.¹⁵

From late May to September, Britain and Norway held three rounds of talks on fishing limits. Fisheries Secretary Basil Engholm led the British team; Stabell headed the Norwegian delegation. As expected, they quickly agreed that the US-Canadian compromise from Geneva should form the basis of their discussions. Only two considerations interrupted the otherwise plain sailing, and both were as evident within the British team as in discussions across the negotiating table. First, disagreements arose over the nature of jurisdiction in the outer six miles during the phase-out period. The Norwegians wanted full control whereas the British suggested ‘joint policing’, at the

¹⁰ PRO: FO371/150838/GW12/121, FO minute, 2.5.1960.

¹¹ Søndenå, ‘Bakgrunnen’, 127-129. Norway also had to enter negotiations with other states but the British talks inevitably set the pace. See Eriksen and Pharo, *Kald krig*, 363-366.

¹² NARA: RG59/399.731/5-660, Willis to Washington, 6.5.1960. Also Søndenå, ‘Bakgrunnen’, 130-131.

¹³ PRO: CAB128/34, CC(60), 28th meeting, 28.4.1960, and 30th meeting, 10.5.1960. In 1961, On the concept of the 54-nation convention gradually faded away. See e.g. NA-CAN: RG25/5389/10600-J-40-2, Drew to Ottawa, 2.11.1961, and *FRUS 1961-63 XXV*

<<http://www.state.gov/r/pa/ho/frus/kennedyjfxv/6029.htm>>, docs. 484-503, accessed 15.6.2003.

¹⁴ PRO: FO371/150840/GW12/140, Scarlett to FO, 28.5.1960.

¹⁵ PRO: FO371/151743/NN1351/37, Mason minute, 18.8.1960, and FO371/151745/NN1351/61, McAlpine to Rose, 18.10.1960.

insistence of the Fisheries Department which was acting upon the trawlermen's suspicions towards Norway's coast guard fleet.¹⁶ The Foreign Office was willing to concede the claim and the diplomats were clearly unhappy about the continued influence of fisheries officials on the maritime aspect of British foreign policy.¹⁷ The second 'ripple' was caused by a similar divergence of views within Whitehall. Engholm recommended—while accepting the 'need to be good Europeans'—that Britain should unashamedly exercise the 'EFTA bargaining power' in the talks with the Norwegians.¹⁸ The Foreign Office people were perfectly willing to use frozen fish to intimidate the Norwegians but they also stressed that wider interests must prevail. Norway was needed within EFTA, for reasons of prestige as well as economics, so in the end Britain would always have to give in.¹⁹

These differences were never deep and in late September, the expected compromise was reached. Britain would not have jurisdiction in the outer six miles but neither would the Norwegian coast guard vessels have authority to arrest British trawlers. They could only report alleged infringements which would then be investigated in Britain. The phase-out clause would run for a decade, not five years as the Norwegians had wanted, but they got four trawler-free 'boxes' in the outer zone.²⁰ The six-mile extension took effect in April 1961, the extension to 12 miles in September that same year.²¹

Had fisheries interests prevailed, Britain would have wielded the EFTA 'weapon' more forcefully and the negotiations might have dragged on, or perhaps foundered. In 1960, however, the decision-makers in London had grown weary of the process of short-sighted doggedness, followed by greater losses than would have been suffered by an initial show of flexibility. Engholm himself realised this, a man of 'excellent political judgement' who would never fight the fishing industry's case to the bitter end.²² Apparently, 'pragmatism', or the 'positive adaptation' to reality which had begun to set in after the first Geneva conference and the stalemate off Iceland, had become a permanent feature of British policy on the law of the sea. Then again, it was

¹⁶ PRO: FO371/151740/NN1351/12, McAlpine minute, 2.6.1960, and SA: UUKK and maritime and fisheries committee, 17.9.1960. Also Søndena, 'Bakgrunnen', 131-137.

¹⁷ BOD: Reilly papers, Ms. Eng. c. 6924, fol. 3, and PRO: FO371/151740/NN1351/12, Mason minute, 3.6.1960.

¹⁸ PRO: FO371/150842/GW12/170, Simpson minute, 13.9.1960.

¹⁹ PRO: FO371/151741/NN1351/23, FO minute, 21.6.1960, and FO371/151744/NN1351/52, Mason minute, 22.9.1960.

²⁰ The agreement was signed on 17.11.1960. Cmd. 1224, *Fishery Agreement between [Britain] and [Norway]* (London: HMSO, 1960).

²¹ Søndena, 'Bakgrunnen', 139-145.

²² BOD: Reilly papers, Ms. Eng. c. 6924, fol. 3. Also Reilly interview, 13.3.1999.

very easy to be an affable liberal when the opponent was in the same frame of mind. If the authorities in Oslo had insisted on their utmost demands, they would not have accepted the long phase-out period or the inability to make arrests outside the six-mile limit. But Norway was not Iceland. Overall, inshore fishing was an auxiliary aspect of the economy so there was ample scope for concessions. Furthermore, the Norwegians were almost by nature pro-British. For Macmillan, Halvard Lange was 'an old friend + a very wise + reliable man'.²³ The 'give and take' fisheries agreement was therefore an excellent example of the principle of interdependence in international relations. In fact, Norway and Britain almost acted as if an agreement had been reached at the law of the sea conference at Geneva.

Unsurprisingly, the fishermen of North Norway were still unhappy with the outcome. They were the 'Icelanders' in the case, as committed but powerless because of the intermediaries in Oslo and their additional considerations.²⁴ Likewise, the Icelandic authorities were not impressed with the Anglo-Norwegian agreement,²⁵ and all things considered, it was not really a momentous achievement. An amicable compromise was always on the cards. Conversely, a solution to the 'cod war' would be the true test of Britain's pragmatic adaptability on the international scene. The surrender would be hardest where it was most needed.

²³ BOD: MSS. Macmillan, diary, 6.3.1958. Also Rollag, 'A Special Relationship?', 81.

²⁴ Søndenå, 'Bakgrunnen', 136-137.

²⁵ GÍG-VI: H. Gudmundsson to Gudmundsson, 1.10.1960. Also *Morgunbladid*, 8.11.1960.

4.2. 'We Are All Right, Jack, to **** with You'. Non-Negotiations with Iceland, 1960

The '6+6' offer at Geneva, its narrow defeat and the subsequent agreement with Norway all indicated that Britain's fight against the 12-mile limit off Iceland was fast becoming untenable. Only the extent of possible phase-out rights for trawling in the outer six miles could conceivably be subject to negotiation. In the summer of 1960, Whitehall officials told foreign diplomats in London that Britain might be content with a 2-3 year period in order to solve the conflict 'without losing face completely'.²⁶ A settlement of this kind was of course precisely on the lines which the Icelanders had offered in 1958, before the outbreak of 'cod war'. Now, however, they had grown in strength while international law had developed against Britain's wishes. Why should the Icelanders give in, therefore? Why respect the principles of interdependence when independence was achievable? Or as the *Navy News* put it, Iceland was saying to the old maritime power: 'We are all right, Jack, to **** with you'.²⁷

A few days before the final result at Geneva in April 1960, the trawler owners and the authorities in London had decided what to do in the disputed waters off Iceland, in case the conference ended in failure. The owners, having refrained from sending their vessels to the Icelandic grounds for its duration, agreed to remain outside the 12-mile limit, in the hope that such a show of goodwill might tempt Iceland to talk.²⁸ (A short while later they set this period of grace for three months, or until August 12). The Royal Navy would still accompany the trawlers because black-listed vessels could not put into Icelandic ports if the need for assistance arose. On April 28, the day of the endgame at Geneva, 'Operation Mint' was therefore put into effect. Three warships and a tanker were to be on patrol outside the 12-mile line and help with medical emergencies or necessary repairs. They would only venture inside to save life or to intervene if the Icelanders were attempting to arrest a trawler which had broken the owners' instructions and gone closer to shore in search of fish. This latter stipulation was kept secret, however, lest the skippers were encouraged to abuse it and 'stray' within the limit.²⁹

²⁶ NA-CAN: RG25/5388/10600-W-40-2, London Embassy to Ottawa, 5.8.1960. For a detailed examination of the 'cod war' in 1960-61, see Gudmundsson, "Thau eru", and Thorsteinsson, *Utanríkishjónusta* II, 622-635.

²⁷ *Navy News*, May 1960 (leading article).

²⁸ PRO: CAB128/34, CC(60), 28th meeting, 28.4.1960.

²⁹ PRO: ADM306/7, Admiralty to Commander-in-Chief Home Fleet, 28.4.1960, and Admiralty to CFPS, 29.4.1960. From early June, the number of warships on patrol was reduced to two.

Initially, it appeared as if the British restraint had been acknowledged in Reykjavík. It may be recalled that although the Icelanders had voted against the US-Canadian proposal at Geneva, not all of them were overjoyed with the continued 'chaos' on the high seas. Gudmundur Í. Gudmundsson deplored what had happened and Justice Minister Bjarni Benediktsson, by now the undisputed crown prince of the Conservative Party, was said to be 'far from happy'.³⁰ On April 29, he announced that the government had resolved to waive all charges against British trawlers for infringements of the 12-mile limit, so that they could safely enter Icelandic ports or seek shelter under the lee of the land.³¹ This 'amnesty' removed the covert rationale for the presence of British warships off Iceland. On May 1, the first trawler docked in Reykjavík for repairs and met no malice. Yet warships were kept on 'cod war' duty because, as the Foreign Office estimated, a complete withdrawal would signal a clear surrender and 'evoke criticism from the trawler industry and in Parliament'.³² The skippers and mates were already angry over the decision to remain outside the 12-mile limit, especially since a number of Icelandic trawlers sailed to Humberside and got excellent prices. In early May, the Grimsby Trawler Officers' Guild threatened to strike unless all landings by Icelanders were suspended and naval protection offered up to six miles, the almost-accepted compromise at Geneva.³³ The owners condemned the move and it was ultimately postponed but it exemplified the strong emotions among the trawlermen.³⁴

At sea, the skippers also showed their displeasure. They sneaked inside the 12-mile limit, hesitatingly at first but then in droves. By the beginning of June, about half of British catches probably came from waters within the line.³⁵ The audacity naturally increased the risk of incidents with the coast guard and the Royal Navy frigates found themselves in the uncomfortable circumstances of reminding the skippers that they should not enter the 12-mile zone. Although the owners suspended the most flagrant offenders, the violations continued and in mid-June, the Commander of HMS *Crossbow* got so exasperated that he actually ordered a trawler to steam outside of the line.³⁶ Never before had Icelandic fishery jurisdiction been protected so assiduously!

³⁰ PRO: FO371/151673/NL1351/63, Burrows to FO, 2.5.1960, and FO371/151672/NL1351/58, Stewart to FO, 29.4.1960.

³¹ *Morgunbladid*, 30.4.1960.

³² PRO: FO371/151699/NL1354/45, FO to Reykjavík, 9.5.1960.

³³ MRC: MSS.126/GE/1/51, GSDFVEFU, extraordinary general meeting, 6.5.1960, and PRO: MAF209/1854, Graham minute, 6.5.1960.

³⁴ GFVOA: special meetings, 11.5.1960, 13.5.1960, and 14.5.1960.

³⁵ PRO: MAF209/1862, Williams to Chief Inspector of Fisheries, 1.6.1960.

³⁶ PRO: ADM306/19, HMS *Crossbow* to Admiralty, 10.6.1960, and 18.6.1960. Also *Guardian*, 27.5.1960.

The frigate's conduct infuriated the trawlermen and produced an embarrassing question in the House of Commons about Britain's position on the width of territorial waters.³⁷ In Iceland, meanwhile, the authorities were criticised for the abject failure to defend the 12-mile limit.³⁸ After Geneva, the government had secretly ordered the coast guard fleet 'to use all discretion and avoid incidents wherever possible'.³⁹ The leniency could not last when it was so blatantly abused and on June 28, a team from the *Thór* boarded the *Northern Queen*, a prominent 'poacher'. HMS *Duncan* arrived on the scene and sent an armed party to the trawler. Since the evidence about the ship's alleged position inside the limit could be disputed, the Icelanders gave up the attempted arrest, but only under strong protest.⁴⁰ Another serious incident occurred on July 10, when the *Grimsby Town* apparently tried to ram the *Ódinn* which replied by firing a solid shot at the trawler. Despite numerous threats, such action had not been taken since 1954 when Belgian vessels were particularly bothersome off the south coast.⁴¹ These incidents, alongside other altercations, demonstrated that something had to be done. The Icelanders learned how Selwyn Lloyd threatened the owners that unless they disciplined their people, the British government would 'not bother more' with the situation off Iceland.⁴² Afterwards, the tension eased somewhat but the fragile *status quo* could not last forever. Either side would have to give in or escalate its commitment—or they could meet and negotiate.

Despite the encouraging decision on the 'amnesty' for 'poachers' at the end of April, the Icelandic authorities did not appear willing to go further to secure a solution. First, they felt that the waiving of charges was an adequate concession. As before Geneva, they also pointed out that they were pushing through painful economic reforms and could not risk the outcry which might follow an announcement on talks with Britain, especially after the confrontations on the fishing grounds in the summer.⁴³ Furthermore, the Icelanders could not resist the temptation to think that they only had to wear out their opponent, calculating that Britain would hardly dare to send the Navy inside the

³⁷ B JL: DPW/13/3, Welch to Engholm, 14.6.1960, and *Hansard*, Vol. 625, cols. 38-39, written answer, 22.6.1960.

³⁸ E.g. *Tjóðviljinn*, 17.6.1960, and 25.6.1960, and *Vísir*, 20.6.1960.

³⁹ PRO: FO371/151674/NL1351/81, Stewart to FO, 24.6.1960. Also Kjærnested to author, 22.2.2000.

⁴⁰ PRO: ADM53/153454, HMS *Duncan* logbook, 28.6.1960.

⁴¹ *Morgunbladid*, 12.7.1960.

⁴² ThÍ-SÖ: 1993-3-2, K. Gudmundsson to Reykjavík, 16.7.1960. Also PRO: MAF209/1862, Lloyd to Hare, 13.7.1960.

⁴³ PRO: FO371/150838/GW12/123, Stewart to FO, 13.5.1960, and FO371/151675/NL1351/87, Stewart to FO, 12.7.1960.

12-mile limit again.⁴⁴ If and when they wanted to sit down at the negotiating table, only minor modifications could be discussed, at most the three-year phase-out period and extended baselines which had been offered in 1958.⁴⁵

The NATO-weapon reappeared as well. After the *Grimsby Town* affair, the Progressive leader Hermann Jónasson—never more than lukewarm towards the American presence in Iceland—demanded that the government seek naval assistance from the United States, under the terms of the Defence Agreement from 1951. The Socialists, aware of the unease it might cause at the Keflavík base and in Washington, were only too pleased to support the request.⁴⁶ In spite of open ridicule from the coalition parties, American officials were rather anxious, in particular because Bjarni Benediktsson of the Conservative Party had earlier warned them that if British warships resumed protection within the 12-mile limit,

Icelandic government with his support and on his initiative would withdraw from NATO. Benediktsson said with considerable feeling that this was not a threat but a statement of cold fact which he made despite fact he had always been and was now wholehearted supporter NATO.⁴⁷

On the whole, British officials took the warning as seriously as the Americans, although they felt that ‘[t]here must clearly be a large element of bluff and blackmail in such a statement’.⁴⁸ Nonetheless, didn’t that leave Britain with just the option of retreat? The time had arrived for a true test of ‘pragmatism’ and ‘positive adaptation’.

In the high summer of 1960 a swift decision was needed because the trawler owners’ three-month period of grace still stood to expire on August 12. For a while, British officials hoped against hope that the trawling industries of the two countries might somehow work out a *modus vivendi*. Yet that prospect was as unrealistic as it had been in the early 1950s when the decision-makers in London decided to forward the four-mile conflict to Humberside.⁴⁹ Similarly, the threat of economic sanctions was discussed and then discounted because it would upset the OEEC, stiffen the Icelanders and probably increase their deplorable trade with the Soviet Union, an aspect of

⁴⁴ PAAA: B80/335, Rowold to Bonn, 27.5.1960, and RA-DEN: 55.DAN.32/II, Paludan to Kronmann, 16.6.1960.

⁴⁵ PRO: FO371/151700/NL1354/73, Stewart to FO, 6.7.1960, and FO371/151676/NL1351/98, Stewart to FO, 23.7.1960.

⁴⁶ ALTH: Foreign affairs committee, 13.7.1960.

⁴⁷ NARA: RG59/740B.022/5-51960, Thompson to Herter, 19.5.1960.

⁴⁸ PRO: FO371/151699/NL1354/56, Roberts, to Mason, 15.6.1960. Also Mason minute, 3.6.1960, Stewart to Mason, 9.6.1960, MAF209/1862, Engholm minute, 14.6.1960, and NARA: RG59/740B.022/5-2660, Burgess to Herter, 26.5.1960.

⁴⁹ ThÍ-SÖ: 1993-3-2, Gudmundsson to Andersen, 22.7.1960, PRO: FO371/151674/NL1351/81, FO to Reykjavík, 29.6.1960, and FO371/151675/NL1351/93, McAlpine minute, 27.7.1960.

Iceland's economy which NATO was actively examining.⁵⁰ A suggestion on yet another attempt by the Alliance itself suffered similar fate, in particular because Paul-Henri Spaak was highly sceptical and spoke disparagingly of the 'chronically intransigent' Icelanders.⁵¹ Already at the start of June, the Foreign Office had reached the depressing conclusion that 'we have almost reached the stage when little further can be done through the diplomatic channel with Iceland without threatening protection or offering some concessions. (This would mean in effect acquiescing in a 12-mile limit)'.⁵²

Among the diplomats, the geopolitical and strategic arguments against the use of warships were overwhelming.⁵³ Moreover, in late July Selwyn Lloyd advanced their case with greater conviction at Cabinet level than he had done in 1958, even to the extent of using the 'Communist bogeyman' in a manner worthy of the Icelanders themselves: renewed naval protection would be condemned in the United Nations, it could drive Iceland out of NATO and it might possibly lead to 'some Soviet intervention in Icelandic waters'.⁵⁴ In similar circumstances two summers before, 'escalation of commitment' had been chosen over capitulation, despite the obvious disadvantages but because of strong determinants on British policy: the five 'p's' of power, prestige, pressure, precedence and principle. Now the developments of international law and the negative experience of naval protection had strengthened the case for a surrender. Even so, the core dilemma about naval protection remained the same. 'If we give it', as Macmillan summarised a fortnight before the deadline of August 12, 'Iceland may go out of NATO and the American base may be at risk. If we don't, it is a betrayal of our own men'.⁵⁵ Likewise, the industry would demand a handsome subsidy in compensation for the abandonment of traditional fishing grounds, and a complete acceptance of Icelandic demands would definitely hurt Britain elsewhere in the North Atlantic. The Danes would evoke the confidential assurance about a revision of the 1959 agreement on Faroese limits, and the Norwegian negotiations could also be prejudiced.⁵⁶

⁵⁰ PRO: FO371/151674/NL1351/77, Berthoud minute, 30.5.1960, and MAF209/1862, MAFF minute, 6.7.1960. On the NATO factor, see NATO: C-M(60)69, IS-0011, Committee of Economic Advisers report, 1.7.1960, and C-R(60)29, IS-0012, NAC meeting, 6.7.1960.

⁵¹ PRO: FO371/151676/NL1351/109, Roberts to FO, 2.8.1960.

⁵² PRO: MAF209/1854, MAFF minute, 1.6.1960.

⁵³ PRO: FO371/151676/NL1351/99, FO minute, 25.7.1960, and FO371/151677/NL1351/121, Mason minute, 2.8.1960.

⁵⁴ PRO: CAB128/34, CC(60), 46th meeting, 26.7.1960.

⁵⁵ BOD: MSS. Macmillan, diary, 30.7.1960.

⁵⁶ PRO: CAB21/4321, undated official law of the sea committee paper, from late July 1960, and T312/35, Jackling to Owen, 31.8.1960.

The danger of bad precedence was admitted in the Foreign Office.⁵⁷ Aware of the legal principle at stake, the Lord Chancellor, Lord Kilmuir, was wary as well.⁵⁸ And of course the most consistent objections to the ‘lie down flat’ option came from John Hare and the Ministry of Agriculture and Fisheries.⁵⁹ In mid-June, in an interview with *Morgunbladid*, Iceland’s largest newspaper, Hare was resolute, even provocative, and confirmed that ‘we will not recognise the 12-mile fisheries limit’.⁶⁰ In London on July 25, he overrode Lloyd in the Ministerial law of the sea committee, persuaded Kilmuir to join him, and together the two advised the Cabinet to accept the resumption of naval protection on August 12 if the Icelanders had not agreed to begin negotiations. The warships would only sail up to six miles, not four, and they would leave after five years, in line with the offer to Iceland at Geneva. In other words, with Iceland as with Norway, Britain would act like an agreement had been reached at the conference. It would merely have to be policed by the Royal Navy. Kilmuir and Hare argued that this might be the compromise which would secure British interests, while easing all the disadvantages of ‘gunboat diplomacy’:

- i) It would set a definite time to the continuation of protection, and the continued use of naval vessels.
- ii) It would preserve our position at the Faroes, and with Norway.
- iii) By basing ourselves on Second Geneva it would make us less liable to criticism from other countries.
- iv) By appearing essentially reasonable it might make it more difficult for Iceland to take some hasty action such as withdrawal from NATO.
- v) It might encourage Iceland to talk so as to secure better phase-out terms, particularly if we told them in advance we intended to take this action in default of discussions.⁶¹

Be that as it may. The Keflavík base and Iceland’s presence in NATO would still be jeopardised—as Benediktsson’s passionate warning had indeed signified. ‘Important as our fishing interests are’ stated the Foreign Office, ‘it would seem to be out of all proportion to incur political risks of this magnitude in order to secure on a hazardous basis five year’s fishing rights within 12 miles off Iceland’.⁶² Sir Patrick Reilly, the high-ranking diplomat who was shortly to learn more about cod than he ever cared, later

⁵⁷ PRO: FO371/151675/NL1351/94, Allan minute, undated but on FO minute, 22.7.1960.

⁵⁸ PRO: CAB129/102, C(60)121, Kilmuir memorandum, 25.7.1960.

⁵⁹ PRO: MAF209/1862, Winnifrith minute, 28.7.1960.

⁶⁰ *Morgunbladid*, 15.6.1960.

⁶¹ PRO: CAB21/4321, undated official law of the sea committee paper, from late July 1960. Also PRO: CAB129/102, C(60)121, Kilmuir memorandum, 25.7.1960m and MAF209/1862, Winnifrith minute, 28.7.1960.

⁶² PRO: FO371/151676/NL1351/99, FO minute, 25.7.1960.

remarked that ‘it would have been grotesque, absolutely, at that stage of the Cold War, to risk losing the base in Iceland, a nonsense to put that into danger’.⁶³

In the event, the Cabinet did not have to accept or reject the proposal on protection for five years because, independently, the Icelanders had also begun to worry what would happen on August 12. In Reykjavík, Ambassador Stewart repeatedly warned that neither the skippers nor the owners could be persuaded to stay longer outside the 12-mile limit unless some talks were started. On July 22, the government therefore decided that Hans G. Andersen should travel to London. Still, he would have no authority to indicate that ‘negotiations’ on the 12-mile limit were possible. As Gudmundur Í. Gudmundsson told him, all discussions were ‘politically dangerous’ and he was even to avoid any contact with the Icelandic Embassy where Kristinn Gudmundsson, the Foreign Minister for the Progressive Party in 1953-56, was now Ambassador.⁶⁴ On July 28, Andersen arrived in London and proved true to his instructions; he was ‘almost excessively cautious’, and made a very bad impression on British officials.⁶⁵ More would be needed to sway the Icelanders. In the first week of August, Lord Home (who had then replaced Selwyn Lloyd at the Foreign Office) wrote personal letters to both Foreign Minister Gudmundsson and Prime Minister Thors, urging them in the kindest of phrases to seek an ‘honourable and just’ settlement.⁶⁶

The Icelandic government was torn. Undoubtedly, most of its members wanted an end to the dispute and realised that they would then have to offer some concessions, probably a short phase-out period. Ever since September 1958, however, all political parties in Iceland had insisted—to use the famous slogan—that they would not deal with the Brits, but beat them. In early August 1960, Ministers knew that large sections of the public, not to mention the opposition, would condemn all moves towards ‘negotiations’. ‘They had a psychological fear of this word’, as Permanent Secretary Henrik Björnsson said in the Foreign Ministry.⁶⁷ Therefore, the Icelandic government felt that it was making a great sacrifice when, on August 8, it decided to accept British proposals for ‘talks’ on the dispute.⁶⁸ On the same day, Home and Christopher Soames (who had taken over from John Hare at MAFF) met representatives of the owners, skippers and mates and persuaded them to prolong the policy of staying outside 12

⁶³ Reilly interview, 13.3.1999.

⁶⁴ THÍ-SÖ: 1993-3-2, Gudmundsson to Andersen, 22.7.1960, and PRO: FO371/151676/NL1351/98, Stewart to FO, 23.7.1960. Also Gudmundsson, “‘Thau eru’”, 82-83.

⁶⁵ PRO: FO371/151677/NL1351/110, Mason to Wyndham, 30.7.1960, and FO371/151680/NL1351/160, Gore-Booth minute, 12.8.1960.

⁶⁶ THÍ-SÖ: 1993-3-2, Home to Gudmundsson, 5.8.1960, and Home to Thors, 7.8.1960.

⁶⁷ PRO: FO371/151677/NL1351/112, Stewart to FO, 7.8.1960.

⁶⁸ Thorsteinsson, *Utanríkishjónusta* II, 627.

miles for another two months.⁶⁹ But the price for the postponement was a promise by the authorities, which the Cabinet accepted in principle, that Britain would 'resume naval protection at the end of two months if no form of negotiations had been started by then'.⁷⁰ Also, the Icelanders gave an informal pledge not to resume landings on Humberside after the summer lull, unless an agreement on the fishing limits had been reached.⁷¹

A crisis had been averted at the eleventh hour. Again, British decision-makers had demonstrated a certain skilfulness in the day-to-day management of precarious situations. Home's benign messages were totally devoid of threats and the British side had accurately calculated that the Icelanders would realise that if they refused even to discuss the conflict, they could lose much sympathy for their case. They must have felt Spaak's grudge; Norway was negotiating, and Tyler Thompson, the American Ambassador, repeatedly urged them to open talks.⁷² Furthermore, the Icelanders naturally knew that if nothing had happened by August 12, the trawlers might flock inside the 12-mile limit and put tremendous pressure on British rulers to provide them with protection.

Had the Icelandic government rejected the British overtures, the policy-makers in London would inevitably have turned their attention to the alternative of five-year protection. On August 4, the Admiralty had prepared instructions for 'Operation Bailiff': naval protection up to six miles in three havens; 'Pheasant', 'Partridge' and 'Woodcock'.⁷³ This plan was not discarded although the Icelanders had decided to enter into discussions, for the British knew well enough that their old adversaries had not turned overnight into placid, pacifying moderates. On the contrary, on August 10, a 'very gloomy and almost hostile' Hans G. Andersen told Andrew Stewart that he had been 'in this business for nearly two years now and never got anywhere. He saw no purpose in trying again'.⁷⁴ Apparently, if the talks were to lead to a conclusion, they would still have to entail a near total British surrender. As before, therefore, a problem postponed was not really a problem solved. 'If we do not get agreement within two months', said Christopher Soames to Harold Macmillan, 'I do not believe any power on

⁶⁹ PRO: MAF209/1862, MAFF minute, 8.8.1960. The decision in Reykjavík was not known to them then but Home told the meeting that the Icelandic government was considering British appeals for talks.

⁷⁰ PRO: CAB128/34, CC(60), 49th meeting, 8.8.1960.

⁷¹ PRO: FO371/151679/NL1351/148, Stewart to FO, 27.8.1960.

⁷² NARA: RG59/740B.00/8-460, Reykjavík Embassy to Washington, 4.8.1960, and PRO: FO371/151678/NL1351/127, Caccia to FO, 5.8.1960.

⁷³ PRO: ADM306/49, Captain FPS OP-ORDER 2-60, 4.8.1960.

⁷⁴ PRO: FO371/151678/NL1351/132, Stewart to FO, 10.8.1960.

earth would stop [the owners and skippers] going in to fish. And after what the Foreign Secretary and I told them the other day, they will expect to be protected'.⁷⁵ So, the only basic change was that instead of August 12, 1960, October 12 now loomed large. But that would almost certainly be the final, final deadline. The 'cod war' would soon be over.

⁷⁵ PRO: PREM11/2976, Soames to Macmillan, 11.8.1960.

4.3. An End to 'Pragmatism' and the Primacy of Domestic Politics? Conclusion of the Cod War, 1960-61

It did not augur well for a friendly end to the 'cod war' that it was something of a victory in itself just to get the Icelanders to talk (and not to 'negotiate', it may be noted). Neither did it ease the search for a solution that the Foreign Office had gone further down the road to the meeting point of perception and reality than other departments in Whitehall, and probably Prime Minister Macmillan as well. In the end, however, a united British side all but gave up the fight for a lost cause. Instead, after more than a decade of lagging 'pragmatically' behind events, the decision-makers in London were going to show foresight and actively guard themselves against the prospect of further setbacks on the high seas. Moreover, at long last the Icelandic government seemed prepared to face the fury of its domestic opponents and make a compromise with Britain.

On August 8, 1960, when the authorities in Reykjavík accepted the British appeal for discussions, they added that they could only begin after a month or so, when the initial denunciation and surprise in Iceland would have subsided a bit.⁷⁶ As expected, the Socialists and the Progressives immediately condemned the move and over the next few weeks, numerous organisations, unions and town councils passed resolutions against a retreat from the 12-mile limit.⁷⁷ Furthermore, the Social Democrats and especially the Conservatives needed time to convince their own members of the need to confer and possibly compromise with Britain. Near the end of August, Bjarni Benediktsson told Ambassador Stewart that at least two Conservative MPs could not bring themselves to vote for any concessions, which meant that a deal with Britain would not have a majority in the *Althing*.⁷⁸ By early September, the Social Democrat Gudmundur Í. Gudmundsson was a bit more optimistic and suggested that talks could start at the end of the month.⁷⁹ However, on September 22, only three weeks before the 'D-day' of October 12, Prime Minister Thors warned Stewart that he was experiencing 'great

⁷⁶ ThÍ-SÖ: 1993-3-2, Jónsson minute, 9.8.1960.

⁷⁷ E.g. *Thjóðviljinn*, 9.9.1960, 15.-16.9.1960, 22.-23.9.1960, and 28.-29.9.1960.

⁷⁸ PRO: FO371/151679/NL1351/148, Stewart to FO, 27.8.1960. Also Gudmundsson, "'Thau eru'", 89-91. Although the government had a majority of six in the Parliament, it was a two-chamber body so a defection by two members would result in an even vote—and defeat—in one chamber.

⁷⁹ PRO: FO371/151681/NL1351/161, Stewart to FO, 10.9.1960, and FO371/151681/NL1351/163, Stewart to FO, 16.9.1960.

difficulty in arriving at any solution which would give a chance of reaching agreement without seriously imperilling the life of his government'.⁸⁰

The Ambassador accepted that Icelandic Ministers would not have called upon themselves the charge of kow-towing to Britain unless they honestly wanted to reach a successful conclusion.⁸¹ On the other hand, both Soames and his officials at the Fisheries Department suspected that the regime in Reykjavík was merely playing for time.⁸² They certainly disliked Stewart's conciliatory tone, complaining that he 'appears to be more Icelandic than the Icelanders'.⁸³ Yet again, the messenger was criticised for bringing the 'wrong' news. Soames also stressed that the Cabinet had in principle agreed to resume protection if the two sides failed to reach a settlement before October 12.⁸⁴ The Foreign Office, however, was highly critical of the Fishery Department's inability to understand the 'grave consequences' of renewed naval pressure.⁸⁵ For the diplomats, the return of the Royal Navy to the 12-mile zone was not really an option. But at the same time, a lasting standstill was inconceivable. Something or someone had to give way.

Ken Booth once wrote: 'Prestige is the sex appeal of politics among nations'.⁸⁶ The importance of 'prestige' has indeed been highlighted here. Concern for this ill-defined, yet important, concept had blurred the British vision of the new international environment after the Second World War. It had also influenced the thinking of the newly independent Icelanders, proud and sensitive as they were. Rarely was this as evident as in early 1952, when Ólafur Thors felt snubbed after his failure to discuss Iceland's proposed four-mile extension with British Ministers.⁸⁷ Political opponents continued to taunt him by recalling the futile visit to 'some underlings' in Whitehall, and David Summerhayes, second in command at the Embassy in Reykjavík in 1960, later recalled that during the deadlock in the autumn of that year, 'Ólafur Thors made it quite clear he wouldn't talk to anyone except Macmillan'.⁸⁸

⁸⁰ PRO: PREM11/3015, Stewart to Mason, 22.9.1960.

⁸¹ PRO: FO371/151678/NL1351/135, Stewart to FO, 17.8.1960.

⁸² PRO: PREM11/2976, Soames to Macmillan, 23.9.1960.

⁸³ PRO: MAF209/1863, Savage minute, 24.8.1960.

⁸⁴ PRO: PREM11/2976, Soames to Macmillan, 23.9.1960.

⁸⁵ BOD: Reilly Papers, Ms. Eng. c. 6924, fol. 9. Also PRO: FO371/151678/NL1351/136, Stewart to Mason, 17.8.1960, FO371/151678/NL1351/135, Mason minute, 19.8.1960, and MAF209/1863, Engholm minute, 1.9.1960.

⁸⁶ Booth, *Navies*, 50.

⁸⁷ See section 2.2, 71.

⁸⁸ Summerhayes interview, 22.11.2002. Also *Tíminn*, 31.8.1958, and PRO: FO371/151681/NL1351/163, Stewart to FO, 16.9.1960.

For Britain, there could be no harm in such an encounter. It would, as Heath Mason pointed out in the Foreign Office, ‘greatly enhance the prestige of the Icelandic government and the Icelandic Prime Minister ... and make it easier for them to accomplish the difficult task which they have set themselves of reaching an agreement with us’.⁸⁹ Macmillan himself readily agreed. In general, he was a strong believer in ‘summit diplomacy’,⁹⁰ and on the afternoon of September 24, the day before a scheduled journey to the United Nations in New York, he summoned a group of officials to Chequers to discuss Icelandic fisheries. As one of them later recounted, the Prime Minister said that he ‘now wanted to use 20 minutes to discuss the dispute and asked those present to describe it because he was going to solve it’.⁹¹ Having armed himself with speaking points, Macmillan then stopped at Keflavík airport the day after, en route to the United States, and had a working lunch with Ólafur Thors.

From the onset, both Prime Ministers used their strongest arguments to enhance their case. Macmillan impressed upon Thors the tremendous respect which the trawlermen had earned after their sacrifices in two World Wars. ‘These men’s livelihood is at stake’, he emphasised, while admitting that Britain would have to accept 12 miles as a general rule for fishing limits. A phase-out period in the outer six miles was essential, however, and all he asked for was five years.⁹² Thors countered by quoting the God-given right of a small nation to live off their only resource, the fish stocks in the waters around an inhospitable island.⁹³ According to Macmillan, Thors also lamented that the 12-mile limit had become ‘a national issue, almost obsessive’. Macmillan then replied:

I said that I thought he had a perfectly good case to present on the basis I had set out. 12 miles *imposed* on Britain, against her will and against international law. The proudest naval tradition in the world brought to heel. Five years transition, twice as favourable as Norway.

Macmillan also mentioned some limitations in the outer six miles and even raised the enticement of economic concessions. The Icelandic Prime Minister agreed that it all sounded well but, again in Macmillan’s account, he repeatedly asserted

⁸⁹ PRO: FO371/151681/NL1351/168, Mason minute, 20.9.1960.

⁹⁰ See Deighton, ‘British Foreign Policy-Making’, 6, and Richard Aldous, “‘A Family Affair’: Macmillan and the Art of Personal Diplomacy”, in Richard Aldous and Sabine Lee (eds), *Harold Macmillan and Britain’s World Role* (Basingstoke: Macmillan, 1996), 10.

⁹¹ This was Eric Roll at MAFF. SSÍ-DÓP: Ólafsson interview with Roll, 16.11.1992.

⁹² According to his speaking points. See PRO: PREM11/3015, undated note. Also *Althingistíðindi* 1960 D, col. 46, 2.3.1961.

⁹³ Johannessen, *Ólafur Thors* II, 320–323.

... that it was too late, the Icelandic people believed that the 12-mile battle was already won. I said that this was not so. I would have to support my fishermen if Iceland attacked them, contrary to existing international law. Mr Thors said that in that case he would fall from office, and Iceland fall into Soviet control. I said that I would do my best to help him. We had given in about everything. He must do something to help me.⁹⁴

Harold Macmillan left Keflavík rather unimpressed with Ólafur Thors. The doyen of Icelandic politics was ‘a nice old boy, but clearly a weak man in a weak position’.⁹⁵ His stress on ‘Communist’ power in Iceland had of course invited the risk of such an estimate. Yet Macmillan felt that, if pressed, Thors would and could ‘give something’.⁹⁶ The Foreign Office concurred. The meeting had not changed British minds.⁹⁷ It was in Iceland that the necessary change in thinking occurred—or a ‘positive adaptation’ to reality. The day after the Keflavík meeting, Permanent Secretary Björnsson assured Ambassador Stewart that it had been beneficial, ‘if only because Mr Thors now realises from the highest level that Iceland too must make a contribution to an agreement’.⁹⁸

The ice had been broken. On October 1, 1960, only 12 days before the trawling industry’s final period of abstention from the 12-mile zone was due to expire, formal negotiations between Iceland and Britain finally began. A team of British officials went to Reykjavík, led by Patrick Reilly, the former Ambassador to the Soviet Union who had recently been appointed head of the Economics Department in the Foreign Office. Reilly’s selection, as compared to Basil Engholm’s leadership in the talks with Norway, signalled a determination by the Foreign Office to avoid a prevalence of fishing concerns in the discussions.⁹⁹ This late in the day, with so much at stake, diplomacy would have to prevail.

The signs were not good. In Reykjavík, thousands gathered to protest against any deviation from the 12-mile limit. ‘No deal—no retreat—no surrender’, was the Socialist slogan, echoing the war cries of September 1958.¹⁰⁰ A few MPs from the coalition parties also remained unconvinced that concessions were needed.¹⁰¹ Besides, it was far from clear exactly what the Icelandic authorities wanted from Britain; the only

⁹⁴ PRO: FO371/151682/NL1351/172, Dean to FO, 25.9.1960.

⁹⁵ Harold Macmillan, *Pointing the Way, 1959-1961* (London: Macmillan, 1972), 274.

⁹⁶ PRO: FO371/151682/NL1351/172, Dean to FO, 25.9.1960.

⁹⁷ PRO: FO371/151682/NL1351/172, McAlpine minute, 30.9.1960.

⁹⁸ PRO: FO371/151681/NL1351/168, Stewart to FO, 26.9.1960, and Summerhayes interview, 22.11.2002.

⁹⁹ Engholm was still a member of the British delegation and he and Reilly got on well. Reilly interview, 13.3.1999. Also PRO: MAF209/1863, Engholm minute, 1.9.1960.

¹⁰⁰ *Thjóðviljinn*, 2.10.1960.

¹⁰¹ GÍG-V: Andersen and Björnsson report, 10.10.1960.

certainty being that they would want a lot. This was confirmed during the negotiations.¹⁰² Before they began, Whitehall officials had agreed to offer economic privileges, for instance an increase in the quota for the import of tariff-free frozen fillets to Britain.¹⁰³ In Reykjavík, Hans G. Andersen, the leader of the Icelandic team, welcomed this idea but suggested other preferences as well, like the revision of the agreement on landings in Britain, the possibility of Iceland's accession to EFTA, and perhaps financial assistance.¹⁰⁴ Furthermore, the Icelanders insisted that in return for a phase-out period inside the 12-mile limit, they must get reciprocal restrictions on trawling outside the line, or a 'zig-zag' agreement, as Foreign Minister Gudmundsson told Reilly.¹⁰⁵ At least six baseline changes in Iceland's favour would also be necessary and an agreement on these lines could only be for three years, not four or five.¹⁰⁶ Most ominously, however, as the British side realised after a few days of discussions in Reykjavík, the Icelanders had set their eyes on the whole continental shelf, stretching more than 50 miles out to sea. '[T]hey did not make much effort to conceal [this] ultimate aim', Reilly reported, a warning which Lord Home underlined in red ink back in London.¹⁰⁷

Thus, the first round of talks ended with no visible success and the guarded optimism after Macmillan's meeting with Thors had greatly diminished.¹⁰⁸ A transition period of only three years would be hard to sell on Humberside and most of the proposed baseline changes went significantly beyond the specifications which had been accepted at the first Geneva conference in 1958. Predictably, the Chiefs of Staff argued that even though Iceland was merely thinking of fishing limits, the danger of adverse precedence would affect Britain's general position on the width of territorial waters.¹⁰⁹ And then there was the claim to the continental shelf. Nevertheless, the discussions had not been broken off indefinitely and the British authorities felt that they had to ask the owners and the trawlermen to prolong yet further the self-imposed ban on fishing within the 12-mile limit which was scheduled to end on October 12. Even Soames agreed to

¹⁰² For a detailed description of the negotiations, see SSÍ-DÓP: Ólafson report, 12.10.1960.

¹⁰³ PRO: FO371/151682/NL1351/177, Dean to FO, 29.9.1960.

¹⁰⁴ SSÍ-DÓP: Ólafsson minute, 3.10.1960, and PRO: FO371/151683/NL1351/185, Stewart to FO, 4.10.1960. The Icelandic government never pressed hard for EFTA membership. See Óli Kári Ólason, "'Politically impossible". EFTA-umsókn í kjölfar thorskastríds', in Erla Hulda Halldórsdóttir (ed.), 2. *íslenska söguthingid* II (Reykjavík: Sagnfrædistofnun Háskóla Íslands, Sagnfræðingafélag Íslands and Sögufélag, 2002), 426-435.

¹⁰⁵ PRO: FO371/151683/NL1015/8, Stewart to FO, 4.10.1960. Also SSÍ-DÓP: Ólafsson minute, 3.10.1960.

¹⁰⁶ PRO: FO371/151684/NL1351/195, Stewart to FO, 8.10.1960.

¹⁰⁷ PRO: FO371/151684/NL1351/200, Reilly report, 7.10.1960.

¹⁰⁸ BOD: MSS. Macmillan, diary, 9.10.1960, and *Daily Telegraph*, 10.10.1960.

¹⁰⁹ PRO: DEFE5/108, COS(60)298, Vice Chief of Naval Staff memorandum, 26.10.1960, and DEFE4/130, COS(60), 67th meeting, 27.10.1960.

pressurise the industry because the tenuous contact with the Icelanders would certainly perish if the trawlers were to sail inside. Home also warned that Moscow might offer to protect Iceland's fishing limits: 'Khrushchev, he said, was in a dangerous mood; he was trying throughout the world, for example in the Congo, Cuba and Laos, to bring countries into the Communist embrace and [at the United Nations] he had specifically named Iceland'.¹¹⁰ Once more, the 'national interest', as seen from Humberside, differed from the view through the 'Cold War lens' in London. And once more, the Kremlin and the 'Communists' strengthened the Icelandic ranks in the 'cod war'. Home seemed to believe what he was saying and Sir Patrick Reilly, fresh from Moscow, felt that if a satisfactory solution to the conflict was not found, Khrushchev 'might jump at the chance to intervene in another colonialist affair ... by sending warships to Icelandic waters'.¹¹¹ A disappointed industry, aware that permanent fishing rights inside 12 miles off Iceland were probably all but lost, agreed to the government's plea for an extension of the breathing space.¹¹²

Preparations for the next round of talks began at once but the strategic connotations appeared to have reduced British power, for the decision-makers in London now had little faith in the usefulness of naval force. 'I was much struck by the quasi-unanimity against resuming protection', wrote Reilly to Stewart after a meeting of Ministers on October 20, chaired by Macmillan. Only Soames made a plea for it, 'and that was a very half-hearted one'. Undoubtedly, the Icelanders had also come to think that the Royal Navy would never again enter the 12-mile zone, or as Reilly added, 'I need not say how important it is that the Icelanders should not get wind of this, though I dare say they are beginning to suspect it'.¹¹³ So, apart from the vanishing willpower, the make-believe was going as well.

The deterioration in Britain's negotiating position was evident when the talks resumed on October 27. Hans G. Andersen and Fisheries Director Davíð Ólafsson went to London, armed with their government's proposals for a solution.¹¹⁴ In comparison to the suggestions which had been floating around in Reykjavík, the baselines and the outside areas were even more exorbitant, while Britain's transitory rights inside the 12-mile

¹¹⁰ PRO: FO371/151705/NL1354/141, Mason minute, 12.10.1960.

¹¹¹ PRO: FO371/151684/NL1351/200, Reilly report, 7.10.1960.

¹¹² PRO: MAF209/1864, MAFF note, 10.10.1960.

¹¹³ BOD: Reilly Papers, Ms. Eng. c. 6872, fol. 6, Reilly to Stewart, 3.11.1960. So concerned was Reilly that he asked Stewart to destroy the letter.

¹¹⁴ For a record of the talks, see PRO: FO371/151689/NL1351/247, FO minutes, 28.10.1960, 31.10.1960, 1.11.1960, and 4.11.1960. Also SSÍ-DÓP: Ólafsson minutes, 27.10.1960, 31.10.1960, 31.10.1960, and 4.11.1960.

limit were restricted and the 'assurance' against further unilateral extensions was very vague. Andersen admitted that he did not expect Britain to accept the proposals, and Ólafsson even declared that they were influenced by the need to satisfy selfish, short-term needs of the inshore fishermen around the Icelandic coastline, 'poorly educated and primitive people [who] were primarily concerned to get an eye for an eye, and a tooth for a tooth in terms of practical sea areas'. Thus, the notion of tariff reductions and suchlike, more important in the long run, had gone by the board and an agreement would not be achieved on 'commonsense or economic grounds'.¹¹⁵

Sir Patrick Reilly could only say that he was 'puzzled and baffled'.¹¹⁶ In reply, Anderson declared that he had been given a reasonable latitude so there was some room for manoeuvre.¹¹⁷ During a heated exchange on November 1, Reilly could wring from the 'aggressive and arrogant' Andersen Iceland's 'rock bottom terms'. The baseline changes could be reduced to four and the temporary areas for regulated fishing outside the 12-mile zone to two. The 'assurance' against unilateral action could also be strengthened, for instance by a pledge to refer possible disputes to The Hague, and the Icelanders would not insist on economic concessions. 'I pressed him very hard to say whether he had definite authority to accept these terms', Reilly noted. 'After shying away repeatedly he said that he had'.¹¹⁸

The talks were postponed on November 4, allowing both sets of officials to consult their Ministers, and a feeling of cautious optimism could be detected in Whitehall.¹¹⁹ Still, the old problem of precedence resurfaced. The negotiations with Norway were in their final stages and British officials secured a pledge from Oslo that a more favourable agreement with Iceland would not affect an Anglo-Norwegian agreement. The Danes were tougher, however. Disregarding British appeals for restraint, they insisted that the confidential attachment to the 1959 deal on Faroese limits (on revision in light of alterations off Iceland) would have to be respected.¹²⁰ This uncomfortable aspect of the emerging agreement with Reykjavík had not been solved when the Icelanders retreated again from the concessions which they had made. In late November, Foreign Minister Gudmundsson notified Ambassador Stewart that economic privileges would have to be attached to the proposed solution, and the government

¹¹⁵ PRO: MAF209/1864, Engholm minute, 31.10.1960.

¹¹⁶ SSÍ-DÓP: Ólafsson minute, 27.10.1960.

¹¹⁷ PRO: FO371/151685/NL1351/219, Stewart to FO, 26.10.1960.

¹¹⁸ BOD: Reilly Papers, Ms. Eng. c. 6924, fols. 35-36. Also PRO: FO371/151688/NL1351/237, Reilly minute, 2.11.1960.

¹¹⁹ RA-DEN: 55.ISLAND.1/XI, Steensen Leth to Copenhagen, 10.11.1960.

¹²⁰ PRO: FO371/151745/NN1351/63, Home to Scarlett, 3.10.1960, and RA-DEN: 55.ISLAND.1/XI, Svenningsen minute, 25.11.1960.

would find it 'very difficult' to accept a reference of future disputes to the International Court of Justice.¹²¹

Reilly was distraught. 'He let me down personally, very badly', he later said of Andersen and this twist in the tale.¹²² On December 1, a small team of British officials again flew to Reykjavík. To Andersen's annoyance, Reilly insisted on meeting Icelandic Ministers and stressed that a satisfactory 'assurance' was the key to a solution. The Conservative Benediktsson, speaking for his party on this aspect of the problem, admitted that although the British attitude was 'reasonable', it was 'very difficult to present [it] to Icelandic public opinion'.¹²³ Even so, after intense discussions the government in Reykjavík accepted the notion that while Iceland would continue to work for jurisdiction above the continental shelf, six month's notice would be given to any limit extension which Britain could then refer to the International Court.¹²⁴ But the Icelanders would not go further. This commitment could not be a formal agreement ('the word "agreement" stuck audibly in his throat', Stewart observed when Gudmundsson was setting out the government's position).¹²⁵ British calls for a more solid guarantee only led him to warn that 'Iceland might soon have to consider whether it should withdraw from NATO'.¹²⁶ Predictably, American officials were worried and as the Foreign Office estimated, 'we have reached a climax in our discussions with Iceland'.¹²⁷

In London, the choice remained between escalation or acquiescence. Reportedly, the fishery officials regarded Gudmundsson's warnings as 'bluff' and charged that it was high time to 'get tough' with the Icelanders.¹²⁸ But as before, that was easier said than done. Infuriating as the Icelandic negotiating tactics were, Britain neither had the appropriate means to 'get tough', nor would such coercion necessarily be in her general interest. The Foreign Office recommended that the Icelandic suggestion on an 'assurance' be accepted, as long as it could be couched in adequate language. On December 8, the Cabinet concurred.¹²⁹

¹²¹ PRO: FO371/151690/NL1351/258, Stewart to FO, 24.11.1960.

¹²² Reilly interview, 13.3.1999.

¹²³ PRO: FO371/151691/NL1351/265, FO minute, 2.12.1960.

¹²⁴ PRO: FO371/151691/NL1351/265, FO minutes, 2.12.1960, 3.12.1960, and 4.12.1960.

¹²⁵ PRO: FO371/151691/NL1351/263, Stewart to FO, 4.12.1960.

¹²⁶ NARA: RG59/640B.4146/12-660, Barbour to Herter, 6.12.1960.

¹²⁷ PRO: FO371/151691/NL1351/266, FO minute, 6.12.1960.

¹²⁸ NARA: RG59/640B.4146/12-660, Barbour to Herter, 6.12.1960.

¹²⁹ PRO: CAB128/34, CC(60), 62nd meeting, 8.12.1960.

Unfortunately, however, the wording continued to be a stumbling block. Yet again, the Icelanders declared their preference for a weaker term than ‘agreement’, with Gudmundsson going so far as suggesting an ‘unwritten intention’.¹³⁰ In the minds of the decision-makers in London, that idea was at best laughable. Notwithstanding the appreciation of Britain’s powerlessness, the strategic aspect and all the other constraints, they were about to lose patience with their slippery opponents. ‘They are really impossible’, Macmillan grumbled, for why did they want to promise a possible referral to The Hague but not make it binding? ‘The only explanation which suggests itself to us’, said Patrick Reilly, ‘is that they are not prepared to be bound by their own undertaking’.¹³¹ Moreover, British officials suspected the Icelanders of calculating that continued intransigence would elicit further concessions.¹³² On December 14, Lord Home conveyed to Gudmundsson his ‘severe shock and disappointment’ over Iceland’s latest move.¹³³ Two days later, Macmillan sent a personal message to Thors:

I appreciate that you are facing a very difficult problem and I have had this much in mind. But I do assure you that we can go no further in order to reach agreement upon this basis. If the present negotiations break down we should be bound to publish the details of our negotiations to the world and, if we did so, I sincerely believe they would give ample evidence that my government have been prepared to make very large concessions in order to secure a settlement.

I must also repeat, as I told you in Keflavík on September 25, that our government have no power to prevent British trawlers fishing within the 12-mile limit in what we regard as the high seas. If the present negotiations break down, we could certainly not prevent their doing so without enacting legislation which would be impossible to carry in our Parliament. The situation which would thus arise would face us with very distressing decisions on the question of protection.¹³⁴

Britain had had enough. There were limits to the appeasement. Yet the allusion to the reappearance of the Royal Navy inside the 12-mile limit was mostly bluff. It is almost impossible to imagine that the disagreement about phraseology could have led to the resumption of naval protection.¹³⁵ Had the Icelanders refused to budge and the negotiations failed, the informal cease-fire off Iceland would probably have continued, with British trawlers staying beyond the 12-mile zone, or entering it at their own risk.

¹³⁰ PRO: FO371/151692/NL1351/267, Stewart to FO, 10.12.1960, and FO371/151692/NL1351/269, Stewart to FO, 14.12.1960, 14.12.1960.

¹³¹ BOD: MSS. Macmillan, diary, 15.12.1960, and PRO: FO371/151693/NL1351/281, Reilly minute, 16.12.1960.

¹³² NARA: RG59/640B.4146/12-1460, Barbour to Herter, 14.12.1960.

¹³³ ThÍ-SÖ: 1993-3-2, Home to Gudmundsson, 14.12.1960.

¹³⁴ ThÍ-SÖ: 1993-3-2, Macmillan to Thors, 16.12.1960.

¹³⁵ See PRO: FO371/151693/NL1351/272, FO minute, 14.12.1960. For the contrary conclusion that the Icelandic authorities believed this threat, see Gudmundsson, “‘Thau eru’”, 111.

The Icelanders appeared to realise this, as Reilly had rightly deduced a few weeks before. A *de facto* victory in the shape of the *status quo* was within their grasp. On the other hand, they undoubtedly feared the threat of publicity after the collapse of the talks with Britain and the damage to their credibility as sound allies in NATO. It may be reiterated that both Gudmundsson and Benediktsson, the main players in Reykjavík at this stage, were sincerely pro-Western. They wanted to be considered trustworthy and conciliatory. Furthermore, the fishing aspects of the settlement which was now on the table were highly favourable. Fisheries Director Ólafsson estimated that in terms of areas, seasonal closures and the phase-out period, 'we have got from the British more than we dared to hope for'. True, according to the latest proposals, the Icelanders would not get restricted zones outside the 12-mile limit unless they accepted a five-year transition instead of three, but the four new baselines more than made up for that loss.¹³⁶ Thus, Ólafur Thors told Macmillan at once of his 'sincere wish' to solve the conflict and Gudmundur Í. Gudmundsson arranged to confer with Home at a meeting of the North Atlantic Council.¹³⁷ After a series of talks in Paris, and again in London, the two Foreign Ministers managed to hammer out a draft understanding. While the problematic 'assurance' would be separated from the other parts of the settlement, it would still constitute an 'agreement', to be registered at the United Nations.¹³⁸ From now on 'things would go well', Henrik Sv. Björnsson hoped at the Foreign Ministry in Reykjavík.¹³⁹

On the one hand, the rulers in Reykjavík had finally realised that they could not squeeze Britain further. On the other, they knew that they could only defend the outcome at home if they had demonstrably gone as far as they could in the negotiations. Once the authorities had pledged themselves to a settlement, the domestic pressure against concessions changed from a useful bargaining tool at the international level to a dangerous threat in internal politics.

To begin with, the sceptics within the coalition parties had to be brought into line. At the end of 1960, some Conservative politicians wanted instead of the draft agreement a plain cease-fire on the 12-mile limit with no new baselines, closed areas or

¹³⁶ SSÍ-DÓP: Ólafsson minute, 29.12.1960.

¹³⁷ PRO: FO371/151693/NL1351/275, Stewart to FO, 16.12.1960.

¹³⁸ For descriptions of these talks from the viewpoints of Home and Gudmundsson, see Lord Home, *The Way the Wind Blows: An Autobiography* (London: Collins, 1976), 173, and Benedikt Gröndal, 'Um helgina', *Alþýðubladid*, 5.3.1961

¹³⁹ PRO: FO371/151693/NL1351/288, Stewart to FO, 23.12.1960.

other attachments, and especially not the ‘assurance’ which they strongly disliked.¹⁴⁰ The party leaders rejected this change but only with considerable difficulty (including a frightful argument between the ‘rebels’ and Thors when a door was slammed so hard that glass got shattered).¹⁴¹ The opponents outside the government camp would be even harder to tackle. In January, a number of strikes in the fishing industry prevented Ministers from announcing that a provisional agreement with Britain had been reached.¹⁴² Whereas the British government appreciated the domestic difficulties, the trawlermen grew increasingly restive as the spring season neared and no settlement seemed to be in sight. ‘Give us gunboats’, said the skippers,¹⁴³ and in early February, Home and Macmillan wrote again to Reykjavík, urging the Icelandic government not to prevaricate any longer.¹⁴⁴ Although the Icelandic Ministers promised almost immediately that they would soon act, they insisted on the utmost secrecy which made it difficult for the authorities in London to soothe the trawlermen.¹⁴⁵ If no agreement had been reached by mid-March, the most determined skippers would undoubtedly have sailed to their favourite grounds inside the 12-mile limit.¹⁴⁶

On February 28, however, the government in Reykjavík at last took the plunge, announcing that a proposal to end the fishing dispute with Britain would be put to the *Althing*. The police had been put on special alert, since the Socialists were expected to organise demonstrations and even riots.¹⁴⁷ While such fears turned out to be unfounded, the opposition condemned the draft agreement most ferociously. The parliamentary debate lasted for the first nine days of March, sometimes well into the night.¹⁴⁸ Accusations of ‘treachery’ and ‘treason’ could be heard, in particular because of the ‘assurance’ and the apparent relinquishment, under duress, of the privilege to extend Iceland’s fishing limits unilaterally.¹⁴⁹ Undeterred, on March 9, the *Althing*’s government majority approved the agreement with Britain, also surviving a vote of no

¹⁴⁰ SSÍ-DÓP: Ólafsson minute, 29.12.1960, and PRO: FO371/159419/NL1351/7, Stewart to FO, 20.1.1961.

¹⁴¹ Baldvinsson interview, 6.9.2002. Also NARA: RG59/640B.4146/4-1161, Ekern to Washington, 11.4.1961.

¹⁴² ThÍ-URN: 1996-B/88-1 15.D.007.2, Gudmundsson to Home, 23.1.1961, and PRO: FO371/159419/NL1351/12, Stewart to FO, 2.2.1961.

¹⁴³ *Daily Express*, 26.1.1961. Also *Grimsby Evening Telegraph*, 8.2.1961.

¹⁴⁴ PRO: PREM11/3307, Macmillan to Thors, 9.2.1961.

¹⁴⁵ PRO: MAF209/1865, meeting with industry representatives, 22.2.1961.

¹⁴⁶ PRO: FO371/157419/NL1351/186, FO minute, 16.2.1961.

¹⁴⁷ NARA: RG59/640B.4146/2-2761, Thompson to Herter, 27.2.1961. In stark contrast to Andrew Gilchrist’s behaviour, Charles Stewart, half-expecting unrest outside the Embassy or his residence, instructed the British staff ‘that they must do everything possible to avoid giving provocation’. PRO: FO371/159420/NL1351/28, Stewart to Mason, 1.3.1961.

¹⁴⁸ See *Althingistidindi 1960 D*, cols. 21-484, 1.-9.3.1961.

¹⁴⁹ For a summary, see Jónsson, *Friends*, 104-108.

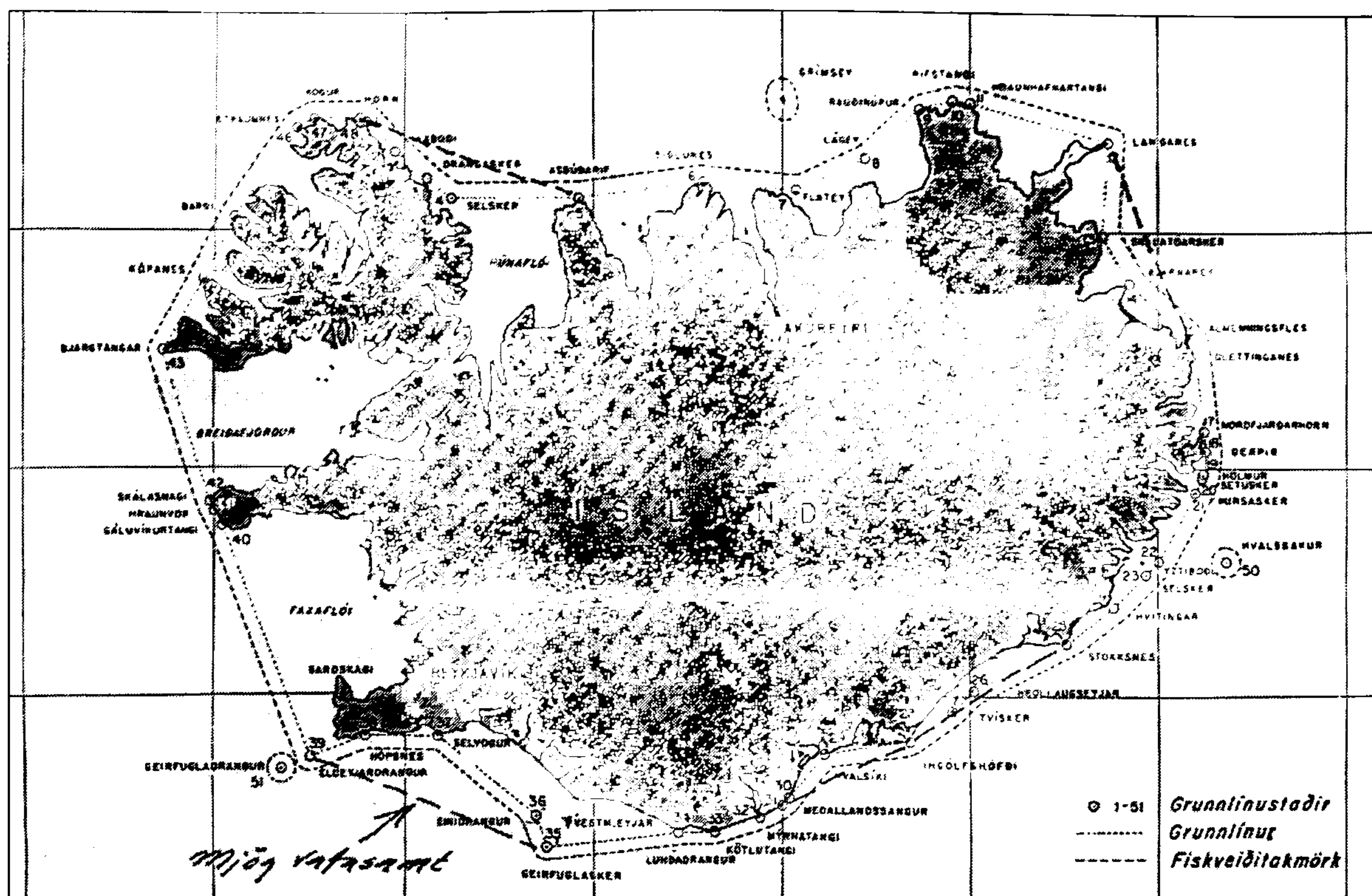


Figure XV. The 12-mile limit from 1958, with the four new baselines in 1961 drawn by hand. 'Very dubious', Foreign Minister Gudmundsson has written next to the new line off the south-west coast.

confidence. Two days later, an exchange of notes took place. Britain would 'no longer object to a 12-mile fishery zone around Iceland', measured from baselines, including the four new ones. British trawlers could fish in the outer six miles for the next years, apart from seven closed areas, and the hotly disputed 'assurance' read as follows:

The Icelandic government will continue to work for the implementation of the *Althing* resolution of May 5, 1959, regarding the extension of fisheries jurisdiction around Iceland, but shall give to the United Kingdom government six months' notice of such extension and, in case of a dispute in relation to such extension, the matter shall, at the request of either party, be referred to the International Court of Justice.¹⁵⁰

In their defence of the agreement, the government's spokesmen highlighted the baseline changes, the closed areas and the short transitory period, and not least the principle of law and interdependence in international relations. In an emotional critique of the charge that Iceland might lose a case at the International Court, Bjarni Benediktsson asked: 'Is it not precisely this attitude, this hypocrisy, this aggression, which has almost destroyed the human race?'¹⁵¹ The authorities in Reykjavík were now making amends, wilfully. 'The present Icelandic government is pro-NATO and basically pro-British', as

¹⁵⁰ Cmnd. 1328, *Exchange of Notes Settling the Fisheries Dispute between the Government of [Britain] and the Government of Iceland* (London: HMSO, 1961).

¹⁵¹ *Althingistíðindi* 1960 D, col. 418, 8.3.1961.

Heath Mason pointed out at the Foreign Office.¹⁵² Likewise, the discontent within the Conservative Party, the anticipation of widespread demonstrations, and the violent response of the parliamentary opposition all confirmed that these pro-Western and pro-British decision-makers had at last decided to reject the primacy of domestic politics. 'They have had to exercise a good deal of political courage to come to terms with us', Mason also wrote.¹⁵³ Then again, the obtainment of the 'assurance' did not disguise the fact that, to quote Sir Patrick Reilly, '[w]e were dealing with skilful and at times unscrupulous negotiations, who made good use of what was in fact political blackmail'.¹⁵⁴ Britain had been forced to accept a 12-mile fishing limit, extravagant baselines, a very short phase-out period and closed areas, in return for a commitment on a reference to the International Court. A guarantee of that kind was not even discussed in other conflicts since both sides automatically assumed that they could call for that way out if the need arose.¹⁵⁵ On the whole, the final settlement was highly favourable to Iceland, even 'a massive Icelandic victory' as Andrew Gilchrist was to assert.¹⁵⁶

Unsurprisingly, therefore, most trawler owners, skippers and mates, as well as their representatives in Parliament, were at best bitter.¹⁵⁷ At worst, they went on strike, as did the trawlermen of Grimsby. Somewhat ironically, the belligerent Dennis Welch alluded to the British ailment of lagging behind events when he condemned the outcome, for if it stood, 'we would be indefinitely worse off than if we had accepted the 12-mile limit two and a half years ago and all our efforts during that time, trouble with Icelandic gunboats, fishing in havens, etc., had all been wasted completely'.¹⁵⁸ Yes, if only the pragmatism and realism behind the settlement of 1961 had been evident a few years before. When the Commander of the frigate on Iceland patrol off the 12-mile limit told the trawling fleet about the agreement, a skipper replied exasperatedly: 'Well, what the bloody hell are you up here for then?'¹⁵⁹

¹⁵² PRO: FO371/159420/NL1351/27, Mason minute, 21.2.1960. Similarly, later in 1961, the Icelandic government made a near identical agreement with the Federal Republic of Germany. See Thorsteinsson, *Utanríkisthjonusta* II, 632-634.

¹⁵³ PRO: FO371/159420/NL1351/27, Mason minute, 21.2.1960.

¹⁵⁴ BOD: Reilly Papers, Ms. Eng. c. 6924, fol 4.

¹⁵⁵ On this point, see RA-DEN: 55.DAN.31/XIX, memorandum, 19.2.1963.

¹⁵⁶ Gilchrist, *Cod Wars*, 102.

¹⁵⁷ *Hansard*, Vol. 635, cols. 1381-1388, 28.2.1961, and *Grimsby Evening Telegraph*, 1.3.1961.

¹⁵⁸ MRC: MSS.292B/601.95/4, GSDFVEFU and Grimsby Trawler Officers' Guild extraordinary meeting, 10.3.1961. A pay dispute got entangled with the anger over the Icelandic settlement and the strike only ended in April. See *Grimsby Evening Telegraph*, 26.4.1961.

¹⁵⁹ Tibby to author, 6.7.2001.

4.4. 'As usual, nothing can ever be done about anything'. The Final Phase of Indecision, Backwardness and 'Pragmatism', 1961-64

This study of Britain's failed fight for the three-mile limit should really have ended with the Icelandic agreement in early 1961. Britain had recognised the principle of 12-mile fishing limits off Norway and around Iceland, and the 12-mile rule had almost been accepted at international level. Thus, it was only logical to think that it was in the British interest to face the facts and say, as Lord Swinton put it for instance in debates over the settlement with Iceland in the House of Lords: 'All right, the three-mile limit was accepted tacitly for many years in international law, but that has now gone by the board'.¹⁶⁰ Old habits die hard, however. The temptation to use coercion to defend traditional British policy was still strong, as was the danger of miscalculations on Britain's actual power and interests. In spite of the enforced enlightenment off Iceland, the story of wishful thinking and vacillation continued for another three years.

First, however, the inevitable had to be accepted. On March 2, 1961, almost immediately after the conclusion of the 'cod war', Moscow denounced the Anglo-Soviet fisheries agreement from 1956, with the stipulated one year's notice.¹⁶¹ The loss of the right to fish in certain areas up to the three-mile limit in the Barents Sea would be a serious blow, said the trawling industry.¹⁶² Yet there was nothing which Britain could or should do, as even the Fisheries Department in Whitehall agreed: 'Our position is the simple one that we shall take what, if anything, the Russians have to give'.¹⁶³ The following year, the treaty expired and British trawling in Soviet territorial waters came to an end.¹⁶⁴

For decision-makers who were so ingrained to react to events, the *fait accompli* in the Barents Sea was almost a welcome thing. But the situation was different around the Faroe Islands, by this stage the sole territory with narrow fishing limits in the North Atlantic. Right after the Icelandic settlement of March 1961, the Faroese demanded the same regime for them: a 12-mile limit with new baselines and a phase-out period until

¹⁶⁰ *Hansard*, House of Lords debates, Vol. 229, col. 33, 28.2.1961.

¹⁶¹ PRO: FO371/159584/NS1351/2, Roberts to FO, 2.3.1961.

¹⁶² *Daily Telegraph*, 17.7.1961.

¹⁶³ PRO: MAF209/1936, Atkinson minute, 24.4.1961.

¹⁶⁴ Butler, *Soviet Union*, 99.

1964.¹⁶⁵ Although the Danish authorities were not happy with this enthusiasm, they accepted that their North Atlantic subjects ought not to be worse off than the Icelanders. The Anglo-Danish agreement from 1959 could be denounced after April 27, 1962, and it had of course contained the confidential clause on revision in case Iceland would get a better deal with Britain.¹⁶⁶

Right and precedence seemed to be on the Faroese side. Furthermore, British officials readily admitted that a resistance to Faroese wishes might incur all the strategic risks which had accompanied the 'cod war'.¹⁶⁷ Hence, the former experience of defeat undoubtedly softened the British will to fight. And more generally, was it perhaps unwise to oppose a 12-mile limit any longer? Shouldn't Britain just go with the flow? At the beginning of May 1962, Macmillan initiated a fundamental examination at Cabinet level on law of the sea policy. Britain should declare a 12-mile fishing limit, because '[e]veryone else has done it and we are the victims now, not the beneficiaries of the old system'.¹⁶⁸

Lord Home agreed, adding that he had 'long been in favour of it'.¹⁶⁹ At MAFF, however, Christopher Soames was quick to defend the traditional interest of narrow territorial waters. Negotiations over Faroese limits could be prejudiced; the North Sea Convention from 1882 restricted British manoeuvrability; and if Britain were to join the Common Market, she would have to accept the concept of a common fisheries policy where all the member states enjoyed 'equal access ... under an equitable arrangement of limits for fishery purposes'. As Soames concluded, 'I am sure we should extend our limits sooner or later, but timing is of the essence'.¹⁷⁰ Hitherto, sooner or later had meant later or never, and Macmillan was incensed. 'As usual, nothing can ever be done about anything', he wrote brusquely to his Minister. 'I will *not* give this up'.¹⁷¹ Thus, the re-examination of British policy continued but a swift decision was impossible. 'It is hard to resist the conclusion that we should wait on events', one Whitehall official argued, and incredibly enough, another bureaucrat also asserted that 'it is still possible for us to maintain that the standard limit is three miles'.¹⁷² Macmillan insisted that he

¹⁶⁵ RA-DEN: 55.DAN.31/XV, memorandum, 14.3.1961, and *Folketingstidende. Forhandlinger i Folketingsåret 1960-1961. Samling* (Copenhagen: Schultz, 1961), cols. 2549-2552.

¹⁶⁶ See section 3.7, 191.

¹⁶⁷ PRO: FO371/159281/ND1351/17, Montagu-Pollock to Mason, 15.3.1961.

¹⁶⁸ PRO: CAB21/4761, Macmillan to Home, 7.5.1962.

¹⁶⁹ PRO: CAB21/4761, Home to Macmillan, 14.5.1962.

¹⁷⁰ PRO: CAB21/4761, Soames to Macmillan, 21.5.1962, and FO to Oslo, 30.8.1962. Also MAF209/1832, Engholm minute, 24.4.1962.

¹⁷¹ PRO: CAB21/4761, Macmillan to Soames, 22.5.1962. Italics in original.

¹⁷² PRO: CAB21/4761, Mackintosh memorandum, 26.9.1962, and CAB21/4981, Cary minute, 21.11.1962.

would only wait until Christmas, but as things turned out, he left office with the limit unchanged.¹⁷³

The talks on accession to the Common Market ended in failure in January 1963, making that aspect of the matter less relevant, at least for the time being. The following month, another part of the puzzle was in the foreground as negotiations on Faroese fishing limits began in London. Britain did not try to contest the intention to extend to 12 miles from new baselines. Instead, the length of a transitional period inside the line predominated the talks. British officials opened with ten years, in accordance with the Norwegian agreement. They would 'fight hard' for seven while settling for four, or even three, as had been the case with Iceland.¹⁷⁴ The Faroese *Lagting*, however, had already rejected all phase-out rights, insisting on a straight 12-mile limit from April 1963.¹⁷⁵ A crisis of Icelandic proportions was in the making. At a Ministerial meeting, Foreign Minister Per Hækkerup mentioned the possibility that the Faroe Islanders might demand the removal of NATO facilities while Lord Home pointed to the industry's intransigence.¹⁷⁶ Indeed, the trawler owners decided to impose a ban on the landings of Faroese catches, like they had done in response to the Icelandic four-mile extension in 1952.¹⁷⁷

As before, however, the difference between Iceland and the Faroe Islands lay in Denmark. The Danes, caught between their desire to satisfy both Faroese and British wishes, resolved to offer a phase-out period until March 11, 1964, when Britain's transitory rights expired off Iceland.¹⁷⁸ Ultimately, the Faroe Islanders could not but accept such a favourable compromise. In Britain, on the other hand, the trawling industry remained committed to a landing ban. In early March 1964, when the Faroese 12-mile limit was about to come into full effect, the parliamentary correspondent for the *Times* also observed that 'there seemed to be many a member who longed for the days of powder and shot diplomacy'.¹⁷⁹ That era was past, however; the 'cod war' experience had ensured that the use of the Royal Navy was hardly discussed in Whitehall. Officials also knew that the industry's embargo, which was designed to limit landings to the average of the last decade, would probably not produce the desired result. It was

¹⁷³ PRO: CAB21/4761, Macmillan minute, 17.8.1962.

¹⁷⁴ PRO: FO371/171669/ND1352/27, Reilly minute, 15.2.1963. Also RA-DEN: 55.DAN.31/XIX, memorandum, 18.2.1963.

¹⁷⁵ RA-DEN: 55.DAN.31/XIX, memorandum, 8.2.1963.

¹⁷⁶ RA-DEN: 55.DAN.31/XIX, memorandum, 20.2.1963.

¹⁷⁷ GFVOA: Council meeting, 20.2.1963.

¹⁷⁸ RA-DEN: 55.DAN.31/XIX, Danish aide-memoire, 5.4.1963.

¹⁷⁹ *Times*, 10.3.1964.

imposed for over a year, nonetheless, and only became an 'irritant' in Anglo-Danish relations.¹⁸⁰

Thus, on March 11, 1964, British trawling within the 12-mile limit around Iceland and the Faroe Islands ended for good. In the same year, after a series of meetings with other European states, Britain extended her own fishing limit to 12 miles, with a ten-year transitory period for traditional fishing in the 3-6 mile zone and permanent historic rights in the outer six miles.¹⁸¹ It was a step in the right direction, but how hard and belated had it been!

The decision had been made like this: by early 1963, after the failure to guarantee a long phase-out period off the Faroes and the disappointing end to the Common Market talks, Christopher Soames and his department had become fervent advocates of a British extension, using the argument which Macmillan had earlier espoused, that '[l]ots of other people have got away with it; why shouldn't we?'¹⁸² But initially, even this conversion at MAFF did not suffice. So focused were other officials and legal experts on the law of the sea as it had been that they found it almost impossible to support any change at all. In March 1964, when Britain had in principle agreed on an extension, both Francis Vallat in the Foreign Office and Manningham-Buller warned that enforcement against all nations 'would be contrary to our international obligations and would be an unjustifiable encroachment on the rights of other countries to fish on the high seas'. The move could only apply to the original signatories of the North Sea Convention from 1882, not newcomers like, for instance, the Soviets and the Poles who fished extensively off British shores.¹⁸³ At the Fisheries Department, Ian Graham was 'so shaken' by this message that he immediately remonstrated that if British interests were to be protected, 'political expediency' must be allowed to 'temper our expressed views on international law'.¹⁸⁴

In the event, the limit was enforced against all nationals but the debate showed the extent of the British tendency to prioritise static legal principles at the expense of present realities. The clause in the Icelandic settlement of 1961 on a referral of further disputes to The Hague was of course another example of this faith. 'Whether the

¹⁸⁰ In late 1965, it was lifted and replaced by an agreement on Faroese sales in Britain, similar to the agreement with the Icelanders from 1956. PRO: FO371/180050/CK1351/25, Ratford to Tebbit, 11.10.1965.

¹⁸¹ Robinson, *Trawling*, 234-235.

¹⁸² PRO: FO371/176330/GW2/47, FO minute, 6.5.1964. Also CAB21/4981, Soames to Dilhorne (Manningham-Buller), 4.4.1963.

¹⁸³ PRO: FO371/176329/GW2/4, Vallat minutes, 11.3.1964.

¹⁸⁴ PRO: FO371/176329/GW2/4, Graham to Brown, 13.3.1964.

Icelandic government like it or not', as one member of the Foreign Office wrote in the mid-1960s, 'this agreement is still in force and is binding on them, no matter how much they may try to wiggle out of it'.¹⁸⁵ But would the pledge really hold? Those Icelandic politicians who had denounced the 1961 treaty so feverishly would at some stage come to power, and as British fishing inside the 12-mile zone came to an end in 1964, the Conservatives confirmed that while they would respect international law, they always aimed to control the whole continental shelf.¹⁸⁶ Britain's grudging and overdue respect for 12 miles came at a time when not only the Icelanders but many other nations had set their sights on much wider limits. Britain was still behind the times.

¹⁸⁵ PRO: FCO9/255, Davidson to Halford-Macleod, 30.1.1967.

¹⁸⁶ *Morgunbladid* and *Vísir*, 11.3.1964. Also PAAA: B80/389, Hirschfeld to Bonn, 19.3.1964.

Conclusion

Basic Facts

The basic facts in the history of Britain's fight for freedom of the high seas in 1948-64 are simple. At the beginning, the three-mile limit of territorial waters was the most widespread rule in the North Atlantic. Yet it was neither universal nor undisputed and at the end of the era, after a number of conflicts, a 12-mile fishing limit had replaced the old regime.

The Norwegians began the process in 1948 when they decided to enforce their baseline-measured four-mile limit of territorial waters. Britain protested the move and the dispute was referred to the International Court of Justice. Its ruling, in 1951, was totally in Norway's favour. Meanwhile, with the promulgation of the Conservation Law of 1948, the Icelanders declared their will to control fisheries over their continental shelf. In 1952, they followed the precedence which had been set at the Hague by declaring a baseline-measured four-mile fishing limit. The British trawling industry, with tacit blessing in London, fought the change by imposing a ban on the landings of iced fish from Iceland. At around the same time, Moscow decided to end an agreement with Britain on fishing up to three miles off the Soviet coast in the Barents Sea. Unlike the Icelandic conflict, Britain had no means of coercion in this case. For a while, however, the Soviets graciously allowed British trawlers to work in restricted areas inside the 12-mile limit in these waters. In 1955, Britain also secured an agreement with Denmark about a partial extension of the three-mile fishing limit around the Faroe Islands. A year on, the landing ban on Icelandic catches was lifted and Britain accepted Iceland's four-mile limit *de facto*.

The events of 1958 demonstrated that the decision-makers in London were not ready to retreat further. At the first United Nations law of the sea conference, they tried to advance the three-mile rule and could only consent to very minimal concessions in order to try to reach an agreement on the regime of territorial waters. The conference failed and the Icelanders moved their fishing limits to 12 miles later in the year. Britain replied by sending the Royal Navy to defend trawlers from harassment. Initially, the tension was high in this first 'cod war'. It eased as time went on but neither side appeared willing to give in and the conflict was unsolved when the second law of the sea conference began in 1960. Despite the willingness by Britain, the United States and other traditional proponents of the three-mile rule to tolerate wider national jurisdiction, this attempt was also unsuccessful. Later in the year, Britain accepted a 12-mile fishing

limit off Norway, with rights to work inside the outer six-mile zone for the next ten years.

A settlement was also reached with Iceland the following year, on March 11, 1961. The phase-out period for fishing inside the limit was only three years and wider baselines were introduced. Furthermore, the agreement contained a clause on the referral of further disputes to the International Court. Finally, in 1962, all fishing rights inside the Soviet 12-mile limit expired and in 1964 around the Faroe Islands. What was considered impossible in 1948 had become real. The three-mile rule, Britain's 'vital interest', had all but disappeared.

The Five 'P's'

These were the principal events, and the central conclusion can only be that Britain lost, while the others won. Moving from facts to interpretations—or from explaining to understanding—the thesis has demonstrated that the main determinants of British policy—the five 'p's' of pressure, precedence, principle, prestige and power—all contributed to the fault of fighting repeatedly for a lost cause.

First, the trawling industry was always able to exert too much pressure on British decision-makers. Throughout the fishing disputes, it is almost as if we can hear the statesmen in London echo Herbert Morrison's famous rejection of the European Coal and Steel Community in 1950, and eliminate an acceptance of inevitable extensions by saying: 'It's no good, we cannot do it. The trawler owners won't wear it'.¹ The dire warnings about 'unbearable' extensions should have been taken with a grain of salt. Despite the repeated warnings about 'unbearable' setbacks in Northern waters in the 1950s, that decade was a 'golden age' for the trawling industry.² In addition, the fateful miscalculation that what was good for the BTF was good for Britain not only meant that a single retreat was impossible, but also that the danger of adverse precedence aggravated the error yet further. A 'domino-theory' was clearly in the minds of British decision-makers. It is here that the merits of the comparative, multi-archival approach of the thesis are best visible. A focus on the Icelandic dispute, for instance, has led to the incomplete conclusion that economic interests were almost the sole reason for

¹ Morrison said: 'It's no good, we cannot do it. The Durham miners won't wear it'. See Bernard Donoughue and G.W. Jones, *Herbert Morrison* (London: Weidenfeld and Nicholson 1973), 481.

² Charles Ekberg, *Grimsby Fish. The Story of the Port and the Decline and Fall of the Deep Water Industry* (Buckingham: Barracuda Books, 1984), 82. Also Robinson, *Trawling*, 208-223.

Britain's flawed policy.³ Comparison, it has been said, 'can have a de-provincialising, a liberating, an eye-opening effect'.⁴

Further on these lines, Britain's concern for the principle of narrow territorial waters must be kept in mind. On the one hand, it was inspired by the mistaken assumption that the law of the sea was fair and should more or less be maintained as it had been. Too rarely did British decision-makers admit what Thyne Henderson once wrote from Reykjavík, that the preferred three-mile rule was 'the result of Britain's dominance of the sea for the last two hundred years'.⁵ On the other hand, the principle of the narrowest limits was mistakenly defended because of that illusive concept, prestige. All through the fishing disputes, the rulers in London emphasised that Britain was, to mention one expression near the end of the period, 'to a great extent a naval and maritime power'.⁶ A state of that stature should not tolerate 'illegal' encroachments on the oceans by small states like Iceland or the Faroe Islands. Were it done, the prestige would vanish. The trouble for Britain, however, was that merely the decision of such minnows to go against her will indicated that the prestige was decreasing. In the words of E.H. Carr: 'Prestige means the recognition by other people of your strength ... if your strength is recognised, you can generally achieve your aims without having to use it'.⁷

Since the amount of prestige was clearly insufficient to avert conflicts, the apparent possession of adequate economic and military power led British decision-makers to believe that they could, and should, use it. But as with the prestige, the power had diminished. In a world of increased interdependence, military or economic superiority did not count as much as before. This thesis has underscored the contention that in the post-war period 'the conversion of the base metal of military force into diplomatic gold has been akin to the alchemist's frustrating search for the Philosopher's Stone'.⁸ Moreover, the history of the maritime disputes in 1948-64 is a fine aspect of the particular decrease in *British* power after the Second World War. True, the legendary 'decline' has sometimes been overstated. '[W]e have certainly learned to wallow in it', complain the critics of such excesses.⁹ Yet it would be equally unjustifiable to go to the other extreme and assert, as some historians would like to do, that "Declinism" is

³ See Jónsson, *Friends*, 96-97, and Thór, *British Trawlers*, 186-187.

⁴ Jürgen Kocka, 'Comparison and Beyond', *History and Theory*, Vol. 42, No. 1, 2003, 41.

⁵ PRO: FO371/111531/NL1351/52, Henderson to Hohler, 24.6.1952.

⁶ PRO: CAB21/4761, Kilmuir memorandum, undated but from late 1962.

⁷ Quoted in Martin Wight (Hedley Bull and Carsten Holbraad eds), *Power Politics* (London: Penguin for the RIIA, 2nd ed., 1986), 96.

⁸ Booth, *Navies*, 29.

⁹ Andrew Neil, 'A very British success story', *Daily Mail*, 15.3.2000.

dead'.¹⁰ It is a fact that Britain's previous prestige and power had decreased. This research is an indisputable, if small, confirmation of that change.

The Six 'C's'

The decline was of course relative. Thus, it can only be properly understood by an equally detailed research into the opponents' increased strength. The focus here has logically been on the Icelanders, the main adversary, and the work has revealed how they were stronger than Britain because of the six 'c's' which determined their policy on fishing limits: the code of law, Cold War, cynicism, conservation, commitment and compassion.

The development of the code of law aided the 'extensionists' on the oceans, especially because of the inclination in London to cite legal theories in support of British views. When speaking on the law of the sea in 1951, a Chilean judge at the International Court of Justice referred to a new 'law of social interdependence' which would correspond 'to the new conditions of the life of peoples'. An English lawyer could only comment that he felt as if he had 'moved into a different world'.¹¹ Later in the 1950s and into the next decade, 'decolonisation' could be detected at sea as on land, with former colonies laying claim to the riches of the oceans and the seabed adjoining their shores. It has indeed been said of the Icelanders that 'without the worldwide trend towards recognising the rights of coastal states, they would not have got very far with their claims'.¹²

More important, still, was the Cold War. In a flippant manner, it could be argued that if Communism had not existed, the Icelanders would have invented it. So much did they benefit from the strategic importance of Iceland in the struggle between East and West. A self-interested Soviet Union was willing to help them and while pro-Western politicians in Reykjavík were certainly right in warning London and Washington that opposition to moves on the fishing limits could strengthen the anti-Western camp, they consciously (ab)used the 'Communist' fear as well. 'We used NATO to the death', an influential member of the Conservative Party was to acknowledge.¹³ Icelandic power in

¹⁰ See 'What does the end of "Declinism" mean for the writing of contemporary British history?' Seminar at the Institute of Contemporary British History, London. 27.11.2002. For a critique of 'Declinism', see also Alan Sked, *An Intelligent Person's Guide to Post-War Britain* (London: Duckworth, 1997).

¹¹ D.H.N. Johnson, 'The Anglo-Norwegian Fisheries Case', *International and Comparative Law Quarterly*, Vol. 1, Pt. 2, 1952, 172-177.

¹² Rögnvaldur Hannesson, *Fisheries Mismanagement: The Case of the North Atlantic Cod* (Oxford: Blackwell, 1996), 68. The statement also covered Iceland's successful limit extensions in the 1970s.

¹³ Matthías Johannessen, in Árni Snævarr and Valur Ingimundarson, *Kalda strídid*. TV documentary, Icelandic State Broadcasting Corporation, 15.5.2000. Also Valur Ingimundarson, 'Vidhorf Bandaríkjana

the fishing disputes would have diminished considerably if the authorities in London had realised what E.B. Boothby, the Ambassador in Reykjavík, asserted at the end of 1962, that '[i]t is virtually impossible to see how the Communist Party could seize power in this country'.¹⁴

Naturally, British decision-makers were not mainly responsible for the strategically inspired increase in Icelandic power. In Reykjavík, the 'million dollar question' was always which would weigh more in American minds: the three-mile principle or Icelandic contentment during the Cold War. It was a tough choice and as John Muccio said in the summer of 1958, the United States position was 'that of an interested friend, with no direct involvement'.¹⁵ But while the strategic preference for narrow limits prevented decision-makers in Washington from backing Iceland unreservedly, they were more willing to put great pressure on Britain than the Icelanders. A brilliant example was President's Eisenhower's readiness to become the world's greatest fishmonger and buy all of Iceland's catches in the mid-1950s, at a time when the authorities in London were not too displeased about the trawling industry's ban on the landings of Icelandic catches. It could in fact be said that Britain suffered from the fact that Iceland enjoyed a 'special relationship' with the United States. More generally, Britain also suffered from the American inclination to sacrifice fish for security; or the inclination to protect the three-mile limit of territorial waters by accepting extended fishing rights for coastal states.

Cynicism also influenced the Icelandic stand. British intransigence encouraged the conviction that unilateral action would yield better results than negotiations and compromises. When this calculation was confirmed, more moderate parties to the fishing disputes were understandably annoyed. For instance, the settlement of the Anglo-Icelandic four-mile conflict on better terms than the Danes had secured for the Faroe Islands made the authorities in Copenhagen wonder, as Ambassador Barclay wrote, whether the only way to get true concessions from Britain was 'by dint of being thoroughly tiresome'.¹⁶ Likewise, the unavoidable retreat in Soviet waters damaged the British contention about the universality of narrow limits and increased the resentment over Britain's uncompromising policy elsewhere. As one Whitehall official confessed:

til íslenskrar hagstjórnar á 5. og 6. áratugnum', in Jónas H. Haralz (ed.), *Frá kreppu til vidreisnar* (Reykjavík: Hid íslenska bókmenntafélag, 2002), 329.

¹⁴ PRO: FO371/166064/NL1015/13, Boothby to Home, 7.12.1962.

¹⁵ CUL: 4100, Box 85, Muccio to Moore, 28.7.1958.

¹⁶ PRO: FO371/128562/ND1351/37, Barclay to Brimelow, 10.7.1957. After the Icelandic settlement in 1961, the *Daily Telegraph* also lamented that it showed how 'Icelandic intransigence has paid better than Norwegian reasonableness'. *Daily Telegraph*, 1.3.1961 (leading article).

‘if we acquiesce in the 12-mile limit off Russia and then protect our ships off Iceland we shall be open to the charge that our policy is one of *parcere superbis et debellare subjectos*’.¹⁷

Furthermore, the clear need to conserve fish stocks could not but encourage the ‘extensionists’, with the Icelanders in the forefront. They were sometimes tempted to exaggerate the threat of depletion.¹⁸ Even so, Britain usually acknowledged the need for protective measures. She wanted it done at international level, however, and with the division of the fishing effort mostly unchanged. This the Icelanders, the Faroese and the fishermen of North Norway would never accept. They unashamedly wanted a bigger slice of the cake in order to grow and prosper. Hence, their commitment was greater, and it is a truism in all disputes that commitment increases power. The Vietnam War is probably the best illustration of a conflict after the Second World War where the superior side was never determined or united enough to use its full strength, while the materially weaker opponent ‘equated compromise with defeat’.¹⁹

Similarly, the smallness of the North Atlantic opponents and their obvious reliance on the riches of the sea worked against Britain. References to Bismarck’s expression about the ‘tyranny of the weak’ were most fitting indeed. The Icelanders ‘have the greatest faith in the strength of their bargaining position as one of the world’s weakest nations’, wrote Henderson from Reykjavík in 1955.²⁰ Both then and on other occasions were they more responsible than Britain for the ‘absence of diplomacy’, i.e. the long periods without sincere efforts to solve the disputes. It is only fair, therefore, to ask how Britain could have been expected to avoid conflicts with such an intransigent and determined adversary?

Intransigence, ‘Pragmatism’, Power and Interests

In the midst of the four-mile dispute, Ólafur Thors met with Anthony Nutting who noted that the conversation ‘covered nothing but the old familiar ground’. Thors reiterated ‘that he would never give way, his government would never give way’.²¹ During the next conflict with Iceland, the ‘cod war’, Gudmundur Í. Gudmundsson told a

¹⁷ PRO: MAF209/1483, Hetherington to Huntley, 18.8.1955. The Latin translates as ‘spare the tough but fight the weak’.

¹⁸ This argument was a ‘red herring’, as C.G. Trout maintained in the Fisheries Laboratory in Lowestoft. PRO: MAF209/753, Trout note, 17.10.1951

¹⁹ Kissinger, *Diplomacy*, 660. Also Lebow, *Art*, 101.

²⁰ PRO: FO371/116446/NL1351/188, Henderson to Hohler, 5.9.1955.

²¹ PRO: FO371/111531/NL1351/71, Nutting minute, 26.8.1954.

NATO official that the Royal Navy must withdraw from the 12-mile zone in order to facilitate a solution. And what would Iceland do in turn? 'Nothing', was the reply.²²

The intransigence was infuriating, and it contrasted sharply with the more conciliatory attitude of the Danes and the Norwegians. But they were not tiny, newly independent one-industry nations. Moreover, the authorities in Copenhagen and Oslo tended to use the Icelanders as 'icebreakers' who cleared the way for them. And, crucially, getting infuriated rarely leads to a level-headed policy. British decision-makers ought to have realised the unfavourable correlation of forces in the North Atlantic—the supremacy of the six 'c's' over the five 'p's'. In short, Iceland was stronger. In the autumn of 1960, when Sir Patrick Reilly had just left Moscow and was about to enter battle with Hans G. Andersen and the other intransigent Icelanders, he wrote that '[on] the little I have been able to learn about the subject so far, it looks as if dealing with the Icelanders will be terribly like dealing with the Russians'.²³ The comparison is fair, and may be elaborated. 'The Russians are not to be persuaded by eloquence or convinced by reasoned arguments', wrote Sir William Hayter:

They rely on what Stalin used to call the proper basis of international policy, the calculation of forces. So no case, however skilfully deployed, however clearly demonstrated as irrefutable, will move them from doing what they have previously decided to do; the only way of changing their purpose is to demonstrate that they have no advantageous alternative, that what they want to do is not possible.²⁴

In the fishing disputes, Britain could never convince the Icelanders that what they wanted to do was not possible. Also, the British decision-makers ought to have realised that, actually, narrow territorial waters and fishing limits were not a 'vital national interest'.²⁵ It must be remembered that trawling in distant waters accounted for less than 1% of Britain's gross national product,²⁶ and narrow territorial waters were not essential for Britain's well-being. The Empire was disappearing and although outposts like Aden, Hong Kong and Singapore lasted a little longer, they would go as well. 'If there was not to be a British presence east of Suez', as J. Gallagher explained afterwards, 'then there

²² PRO: FO371/143108/NL1351/122, FO to Reykjavík, 2.6.1959.

²³ BOD: Reilly Papers, Ms. Eng. c. 6872, fol. 2, Reilly to Barker, 29.9.1960.

²⁴ Quoted in Dean Acheson, *Present at the Creation: My Years in the State Department* (New York: Norton, 1969), 275.

²⁵ Martin Wight's definition of 'vital interests' is as follows: 'There are certain things that a power deems essential to its continued independence; these are its vital interests, which it will go to war to defend'. Wight, *Power Politics*, 95.

²⁶ Jónsson, *Friends*, 7.

was precious little point in holding bastions and staging-posts'.²⁷ And if there was no need for these stations, there was no need for the unchanged status of the sea lanes towards them.

The illusion of 'vital interests' meant that British actions in the maritime disputes were inconsistent and contradictory. The thesis has confirmed the hypothesis which was put forward at the onset, of a vacillation between idealism and interdependence on the one hand, and *Realpolitik* and 'gunboat diplomacy' on the other. The four-mile dispute is a good case in point. At the start of the landing ban by the trawling industry, an Iceland-sympathiser at the Bank of England lamented that 'a small and vulnerable country is being bludgeoned by the powerful private interests of a big neighbour'.²⁸ The authorities in London knew that after the judgement in the Anglo-Norwegian dispute, Iceland had a compelling right to extend the limits. Yet they could not resist the shrewd calculation that coercion would force the Icelanders to back down. But when they were proved wrong, they would not escalate British commitment. Thus, the decision-makers in London broke a cardinal rule of 'coercive diplomacy': 'The adversary must be made to believe not only that one is unwilling to give way at the present level of conflict, but that one is ready and able to go even further if necessary'.²⁹

The same indecisiveness took place during the 'cod war'. 'Hawks' like Dennis Welch in Grimsby complained about 'appeasement' and in his militant mood, Andrew Gilchrist would question 'whether we ought to be deterred by fear of a little bloodshed'.³⁰ Britain had gone in, but she neither would nor could go all the way. A comparison with Suez immediately springs to mind. 'Sound policy or not', one observer wrote on that catastrophe, 'the British government had lacked the nerve to see it through'.³¹ Off Iceland as in Egypt, Britain got the worst of both worlds; condemnation for aggression yet not the spoils of victory. But although the policy was foolish, we must acknowledge the environment of the time, and the mindset and upbringing of the men in power.³² As a sailor who saw 'cod war' duty later described his Commanding Officer: 'He would have entered the service as a Boy in the late twenties or early thirties

²⁷ J. Gallagher, (Anil Seal ed.), *The Decline, Revival and Fall of the British Empire* (Cambridge: Cambridge University Press, 1982), 152.

²⁸ BEA: OV35/9, Overseas and Foreign Office note, 14.1.1953.

²⁹ Paul Gordon Lauren, 'Theories of Bargaining with Threats of Force: Deterrence and Coercive Diplomacy', in Paul Gordon Lauren (ed.), *Diplomacy. New Approaches in History, Theory, and Policy* (New York: The Free Press, 1979), 193.

³⁰ PRO: FO371/134985/NL1351/803, Gilchrist to FO, 5.9.1958, and FO371/150833/GW12/51, Dennis report, 4.2.1960.

³¹ Sharp, *Thatcher's Diplomacy*, 10. Also Hennessy, *Muddling Through*, 148.

³² On this point in general, see Peter Hennessy, *Never Again. Britain 1945-51* (London: Jonathan Cape, 1992), xiv, 431-432.

and would have been indoctrinated on Nelsonia—Britain rules the waves and all that jazz’.³³ In other words, British policy-makers were not stupid or incompetent. It simply would have taken an almost extraordinary psychological effort to agree that suddenly the old naval power should acquiesce in adverse decisions on maritime affairs, taken in tiny places like Reykjavík or Tórshavn.

Then again, the deterministic view that what happened had to happen must also be avoided. Options were always open and, what is more, participants in the story knew this very well. Sympathetic outsiders noticed that Britain habitually lagged a step or two behind events.³⁴ In London itself, this unfortunate trait was also admitted at times, as has been seen. In 1960, to take one more example, Lord Kilmuir wrote: ‘I have now had years of experience of seeing the failure to attain an agreement when, if we had been ready earlier to pay the price ultimately accepted by us, it might have been obtained’.³⁵ A skipper who retired that year also insisted that the industry needed to ignore ‘the old-timer who cannot get the limit line chip off his shoulder’,³⁶ and when Harold Macmillan was trying in vain to rush through a decision on 12 miles off Britain, he stated that ‘[w]hatever the Admiralty may say, there is really nothing in the defence point’.³⁷ But if only he had realised this a few years before. As Kilmuir’s grievance and Macmillan’s failed and overdue conversion bear out, a frank, progressive reconsideration of British interests and capabilities never took place. The inclination to ‘wait and see’ was always stronger. And here the decision-making machine itself was at fault as well. Often the influence on action seemed to decrease in inverse proportion to knowledge of the issue. The almost constant ignorance of the input from diplomats ‘on the spot’ was highlighted in the thesis, as was the dismissal of advice from the most knowledgeable officials in London or at the international conferences in Geneva. Departmental divisions also made matters worse. For the bureaucrats, victory in Whitehall often seemed more important than a realistic policy in the outside world.

All these flaws in the decision-making process, as well as the equally defective results, make a mockery of the rather popular description of British policy as being ‘pragmatic’, at least if it is defined in terms of adaptability and foresight. There was no *strategy*, only stubbornness. A final lament from Sir Gerald Fitzmaurice, the comparatively farsighted Legal Adviser whose advice was so often ignored, is worth

³³ Baker to author, 5.4.2002.

³⁴ UD: 26.11/23/XIV, Seyersted to Stabell, 18.10.1958, and RA-DEN: 55.DAN.31/XVI, Sørensen to Borch, 27.12.1961.

³⁵ PRO: CAB21/4321, Kilmuir to Heath, 19.9.1960.

³⁶ *Financial Times*, 24.5.1963

³⁷ PRO: CAB21/4761, Macmillan minute, 7.5.1962.

quoting: 'Ministers have never been prepared with this subject to take a decision in advance of it being forced upon them by events'.³⁸ So determined were British decision-makers not to cross a bridge until they came to it that they lagged behind others until they came to a watershed. Then, at last, would they wonder whether to cross, only to find out that the current had changed and the necessary bridge would have to be built elsewhere.

The fairly long-term approach of the thesis underlines further this un-pragmatic nature of British policy and decision-making. By examining the process rather than a single episode, we see that Britain repeated the same mistakes. The 'issue-learning curve' was disappointingly flat, and the 're-representation of problems' rarely led to a fundamental change in policy. In addition, other developments support this observation. We have corroborative evidence, as it were. In this work, references to Messina in 1955 or Suez in 1956 are not simplistic historical analogies. British attitudes on fishing limits and the law of the sea have to be placed in the context of the period. Two of the most important aspects of Britain's foreign policy—decolonisation and European integration—have of course been thoroughly examined.³⁹ At the risk of oversimplification, the broad consensus among the students of Empire and Europe is strikingly similar to the main conclusions here. On the end of Britain's imperial role, it has for instance been argued that British decision-makers could have shown more foresight. They knew that things would inevitably change and repeatedly reviewed the situation, but as one observer summarised their efforts, '[t]he outcome of each passing review, in short, was the conclusion that something would have to be done—but not yet'.⁴⁰ As for Europe, it has been said that Britain always lagged behind. 'I've often thought the patron saint of British European policy was Ethelred the Unready', said Sir Oliver Wright in a particularly colourful critique:

At key moments, we've always been unready, including the first key moment. We have always been unready to take decisions from which we could have derived maximum advantage instead of which so far, like Johnny come lately, we've had to run and catch up and accept what the others have already decided and in a sense got very little advantage from it. But if you adopt a permanent

³⁸ PRO: FO371/143107/NL1351/87, Fitzmaurice minute, 20.3.1959.

³⁹ For a recent combination of the two, see Alex May (ed.), *Britain, the Commonwealth and Europe. The Commonwealth and Britain's Applications to join the European Communities* (Basingstoke: Palgrave, 2001).

⁴⁰ David Goldsworthy, 'Frank Heinlein, British Government Policy and Decolonisation, 1945-1963' (book review), *International History Review*, Vol. 25, No. 1, 2003, 205. Also Frank Heinlein, *British Government Policy and Decolonisation, 1945-1963: Scrutinising the Official Mind* (London: Frank Cass, 2002), Butler, *Britain and Empire*, and Young, *Britain and the World*, 142.

policy of Ethelred the Unready you've only got yourself to blame, haven't you?⁴¹

This credible complaint about shortsightedness on Europe involves fish as well. At the start of the 1970s, Britain was negotiating an entry to the European Economic Community and decided to accept the unfavourable Common Fisheries Policy.⁴² In the words of Sir David Hannay, one of the officials who took part in the negotiations,

fisheries is a bit of a black spot in my view and I couldn't put my hand on my heart and say we did a brilliant job. ... One of the reasons why we didn't do terribly well is that we failed to spot that there were a whole number of developments in the fisheries field which were going to change all the rules of the game.⁴³

Moreover, after the developments of fishing limits and territorial waters which have been described in the thesis, the miscalculations on the law of the sea were to continue. In 1971, a new centre-left coalition in Iceland declared a 50-mile fishing limit, imposing it the following year. The regime shrewdly ignored Britain's references to the agreement of 1961, and then a ruling against the new limit by the International Court of Justice. 'What law? They don't exist', said Lúdvík Jósepson, back at the Fisheries Ministry, when British journalists asked about Iceland's legal obligations.⁴⁴ Again, the intransigence was infuriating but Britain was still in the same position of apparent powerlessness. In late 1972, the Research Department of the FCO pointed out in a paper, 'The Lessons of the First "Cod War"', that '[c]onfrontation between the Royal Navy and the Icelandic coastguards is likely to be disastrous to efforts to reach agreement'. Iceland would use both her smallness and strategic importance, and a solution 'is likely to involve substantial concessions on our part. Delay in making them will only make the price of agreement higher'.⁴⁵

Nonetheless, Britain did not yield, fighting another 'cod war' in 1972-73 and again in 1975-76, when Iceland extended the limit to 200 miles.⁴⁶ In both cases, defeat was inevitable and as Sir Andrew Gilchrist wrote after the final conflict:

⁴¹ CC: BDOHP, Wright interview, 18.9.1996. Also Ellison, *Threatening Europe*, and Young, *Britain and European Unity*, 52-54.

⁴² For an overview, see Michael Leigh, *European Integration and the Common Fisheries Policy* (London: Croom Helm, 1983).

⁴³ CC: BDOHP: Hannay interview, 22.7.1999. On this subject, a great Eurosceptic like Margaret Thatcher would later write that Britain should 'exert its parliamentary sovereignty and take back control of its waters within the 200-mile limit'. Margaret Thatcher, *Statecraft. Strategies for a Changing World* (London: HarperCollins, 2002), 399.

⁴⁴ *Guardian*, 18.7.1972.

⁴⁵ PRO: FCO51/274, Caie memorandum, 27.10.1972. Also NARA: RG59/POL-33-4-ICE, Box 2355, London to Rogers, 6.9.1972.

⁴⁶ For an overview, see Thór, *British Trawlers*, 198-224.

If some reasonable degree of excuse and explanation can be offered for the British government's actions in ... 1958, surely it passes comprehension that when confronted by an identical problem in 1972 and 1975, the government should have had recourse to the same measures which had proved so ineffective and counterproductive on the earlier occasion.⁴⁷

But what was the alternative? Commenting on the 'Lessons of the first "Cod War"', Anthony Royle, Minister of State at the FCO, could not but complain that it 'seems to be a prescription for throwing our hands in the air and giving in to the Icelanders!'⁴⁸ And could it perhaps be argued that a fighting retreat was better than an abject surrender? In the opinion of Ian Graham at the Fisheries Department, the policy of constant resistance was sensible because 'if you're going to be hanged that's no reason to be rushing to the gallows. If you can put the day off, it's worth putting it off, and one never knows what the future will hold'.⁴⁹ However, the case being made here is that if another route had been taken in 1948-64, Britain would not have entered troubled waters time after time. In the long run, an alternative path of voluntary concessions and compromises would have been more beneficial than the questionable short-term advantages of stubborn resistance. To sum up, this has therefore been a story of British miscalculations about interests and capabilities. In light of the opponents' irritating intransigence and the somewhat indistinct nature of the decline in Britain's power, the error was understandable. Yet it was always avoidable, and certainly regrettable.

⁴⁷ Gilchrist, *Cod Wars*, 109-110. For this argument, see also Valur Ingimundarson, 'Fighting the Cod Wars in the Cold War: Iceland's Challenge to the Western Alliance in the 1970s', *RUSI Journal*, Vol. 148, No. 3, 2003, 88-94.

⁴⁸ PRO: FCO76/554, Royle minute, undated but on or just after 30.10.1972.

⁴⁹ Graham interview, 28.2.2002.

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Churchill College, University of Cambridge [CC]

- GILC Papers of Sir Andrew Gilchrist
- BDOHP British Diplomatic Oral History Project

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- BT Records of the Board of Trade and of successor and related bodies
- CAB Records of the Cabinet Office
- CO Records of the Colonial Office, Commonwealth and Foreign and Commonwealth Offices
- DEFE Records of the Ministry of Defence
- DO Records created or inherited by the Dominions Office, and of the Commonwealth Relations and Foreign and Commonwealth Offices
- FCO Records of the Foreign and Commonwealth Office and predecessors
- FO Records created and inherited by the Foreign Office
- J Records of the Supreme Court of Judicature and related courts
- LCO Records of the Lord Chancellor's Office and of various legal commissions and committees
- MAF Records created or inherited by the Agriculture, Fisheries and Food Departments, and of related bodies
- MT Records created or inherited by the Transport Departments and of related bodies

POWE	Records created or inherited by the Ministry of Power, and of related bodies
PREM	Records of the Prime Minister's Office
T	Records created and inherited by HM Treasury

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BMJ	Bundesministerium für Justiz. Federal Ministry of Justice

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DÓP Papers of Davíð Ólafsson

IBRD Documents on Iceland from the archives of the International Bank for Reconstruction and Development

IMF Documents on Iceland from the archives of the International Monetary Fund

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FRN Skjalasafn forsætisráðuneytis. Prime Minister's Office Papers

LON Skjalasafn sendiráðsins í London. Archives of the Legation and Embassy of Iceland in London

SÖ Sögusafn utanríkisráðuneytis. Foreign Ministry Historical Collection

URN Skjalasafn utanríkisráðuneytis. Foreign Ministry Archive

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